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12191

Laws & Journals

1844

12191

INDEX

A

Ardent Spirits — Page 33
Appropriations June 1844 — " 44
Assessor 1844 — " 67
Assessor after 1844 — " 71
Apportionment June 1844 — " 74
Appropriations Dec 1844 — " 118

B

Boundaries of Oregon — " 114

C

Connor James relief of — " 125
Clatsop County created — " 32
Circuit Attorney — " 134
Canal Jno. McLaughlin — " 45
Canal Twalaty County — " 115
Convention 1845 — " 117
Court Amendatory act — " 129
Census of Oregon 1843 — " 130

F

Ferry Robt Moore — " 43
Ferry Hugh Burns — " 66
Ferries Amendatory act — " 128

H

Horses act to protect — " 46

I

Indians act in relation to — " 126
Infants act regarding practice — " 133
Journal 1844 June page 1 to 21 and 76 to 102
Justices acts Legal — " 35
Judiciary — 60
Jail erection of — 121
Jurors Petit Jury of — 125

L

Land Claims act page 39
Lunatics " 119
Land Claims Amendatory " 123
Letters Testamentatory &c " 134
Lennox David act Legalized " 127
Mill Race ~~L.H.~~ Judson v. A. Wilson — 120
Marriage act " 31
Military Law — " 47

N

Northern Boundary of Country " 59

O

Oregon City incorporation act " 103

R

Roads & Highways " 22
Road to Yam Hill — " 16
Roads Amendatory act " 17
Road Viewers — June 1844 " 1
Road to Island Mills " 11
Road Viewers Dec 1844 " 6

S

Sheriff Act for the relief of " 124
Slavery " 41
Salaries of Officers " 48
Seamen act — " 30
Slavery Amendment act " 131

W

Ways and Means " 36

Y

Yam Hill and Territory lines " 14
Youngs Estate " 128

Journal of the House

Willamette Falls June 18th 1844.

Pursuant to the Organic Laws of Oregon, the Members of the Legislative Committee met at the House of Mr. Hathaway. Present Peter H Burnett, David Hill, and M. M. McCarver Members from Twality District. Absent M. Gilmore.

A. Lawrence Lovejoy from Klackamas district.

Daniel Waldo, Thos D. Keizer and Hoff Newell from Champoick District

John Hill District not represented.

On Motion of P. H. Burnett, David Hill was called to the Chair, and upon Motion of M. M. McCarver, P. H. Burnett was appointed to act as secretary protem during the absence of J. E. Long the regular secretary of this body.

On Motion of P. H. Burnett the several Members were then sworn to support the laws of Oregon, and faithfully to discharge the duties of their office.

On Motion of Mr Lovejoy the several members of this house were excused from producing their Credentials.

On Motion of Mr Lovejoy the house then proceeded to the election of Speaker Whereupon Mr Burnett put in nomination M. M. McCarver who was unanimously Chosen Speaker of the house.

On Motion of Mr Burnett a Committee

of two were appointed by the Speaker to wait upon the Executive Committee and inform them that this house was now in session whereupon Mr Burnett and Mr Lovejoy were appointed to Compose said Committee.

On motion of Mr Lovejoy the house then adjourned to meet again this day at 3 O. Clock P. M.

The House met pursuant to adjournment the Committee appointed to wait upon the Executive Committee reported they had performed the duty assigned them.

The Executive Committee then presented their Message, which was read by the Secretary, and on motion of Mr Burnett was laid upon the table.

The Speaker then announced that he had organized the following Committees

Ways & Means.

Mr Newell, Mr Hill, Mr Gilmore.

Military Affairs.

Mr Hill, Mr Kiezer, Mr Gilmore.

Land Claims

Mr Lovejoy, Mr Waldo, Mr Newell

Roads.

Mr Burnett, Mr Waldo, Mr Kiezer

Judiciary.

Mr Burnett, Mr Lovejoy, Mr Gilmore

On motion of Mr Kiezer Messrs Lovejoy, Burnett & Waldo, were appointed a Committee to draft and report rules for the government of this house.

On motion of Mr Burnett ordered that the Executive Committee Message

as relates to a more thorough Organization by vesting the Executive power in a single person, and to the Appointment of several Judges, and also those parts of said Message that relate to the Amendment of the Laws of Iowa were refered to the Committee on the Judiciary.

Also so much of said Message as relates to the Militia, was refered to the Committee on Military affairs.

Also so much of said Message as relates to the Amendment of the Land Law and the repeal of the 4th Article of the same, was refered to the Committee upon Land Claims.

Also so much of said Message as relates to roads, and road Commissioners was refered to the Committee upon roads.

And Also the balance of said Message was refered to the Committee of the whole house on the state of the Territory.

The following resolution introduced by Mr. Newell was unanimously adopted.

Resolved, that a vote of thanks be returned to the Executive Committee for their very satisfactory Message, and that the secretary be required to furnish them with a Copy of this resolution.

On Motion of Mr. Hill the house adjourned to meet again to morrow at 10. O. Clock. A. M.

Signed

M. M. M. Cavis

Speaker

Attest.

P. H. Burnett

Secretary protem

June 19th. The House met pursuant to adjournment.

Present Messrs Burnett, Gilmore, Hill Keizer, Lovejoy, Newell Walde and the Speaker.

The Journal was then read by the Secretary pro tem, and on motion of Mr Lovejoy was amended by striking out the word Territory.

Mr Gilmore appeared and took his seat and was sworn in the usual manner by the regular Secretary.

The Speaker then called for Petitions, and Mr Hill presented a Petition from J. J. Hubbard and others, which upon his motion was refered to the Committee upon roads.

Resolutions were then called for but none were presented. Also reports from Standing Committees but none were presented.

The Special Committee appointed to draft and report rules for the government of the house then made their report which upon motion of Mr Burnett was adopted.

On motion of Mr Lovejoy the house adjourned to meet again to morrow at 8 O. Clock A. M.

Signed
M. M. McCarver
Speaker.

Attest:
S. H. Burnett
Secretary
Pro tem.

June 20th The house met pursuant to adjournment. Present Messrs Burnett, Gelmore, Hill Keizer, Lovejoy, Newell, Waldo and the Speaker.

The Journal was then read by the Secretary The Speaker called for petitions when one was presented by Mr Lovejoy, from Robt Moore and others for permission to establish a ferry at the Willamette falls, which on motion was referred to the Committee on roads.

A petition was then presented by Mr Burnett from J. L. Parish for the establishment of an additional district at Clatsop, which on motion was referred to a special Committee.

Messrs Hill, Waldo, & Newell were appointed said Committee.

Reports from Standing Committees were called for by the Speaker, but none were presented.

Mr Lovejoy gave notice that he intended to-morrow to introduce a bill to legalize the act of N. P. Dougherty.

Mr Burnett gave notice that he intended to introduce a bill, to prevent the introduction of ardent spirits into Oregon

On motion of Mr Newell the house adjourned till one O. Clock.

The house met pursuant to adjournment, on motion the Treasurer was called upon by the Speaker to make his report for the past year which was made accordingly.

A report from the Committee of

Ways and means was presented, and on Motion was recommitted for further consideration.

On Motion the House adjourned to to morrow.

Signed
M. M. McCarver
Speaker

Attest
I. Long
Secretary.

June 21st

The House met pursuant to adjournment After the reading of the Journal, the Speaker Called for petitions, when one was presented by Mr Longley from Thos Ermatinger on behalf of John McLaughlin, for permission to establish a ferry across the Willamette River at the Falls of the same, which was refered to the Committee on roads.

Report from Standing Committees were then Called for, when Mr Hill presented a bill on Military affairs, also a bill to make an additional District & Clatsop.

Mr Burnett reported a bill on roads, also a bill on Marriage all of which were read 1st time.

Mr Burnett asked leave to present a bill to prevent the introduction of ardent Spirits in Oregon, leave being granted the bill was read 1st time, and on motion was refered to a Special Committee Mr Burnett, Mr Keizer, Mr Waldo to the said Committee.

Mr Longley asked leave to introduce a bill

Bill to legalize the acts of W. P. Dougherty of the Willamette Falls, as Justice of the Peace of Clackamas District, leave being granted the bill was read 1st time and on Motion was referred to the Judiciary Committee,

On Motion of Mr Lovejoy the Land Bill was read 2d time.

The House then resolved itself into a Committee of the Whole, Mr Caldwell in the Chair, The Land Bill was then taken up, when on Motion of Mr Waldo it was recommitted to the Standing Committee for further Consideration.

Mr Lovejoy asked leave to resign his Office of Chairman of the Committee on Land Claims, which on Motion was granted, Mr Lovejoy then asked leave to be excused from serving on said Committee, which on Motion was refused.

The Committee of the whole then rose and the Chairman reported progress.

Mr Gilmore gave notice that on Monday he would ask leave to introduce a Bill in relation to Stock.

On Motion that the House do now adjourn to to morrow at the usual hour, Mr Lovejoy offered as an amendment that the house adjourn to 9 O'Clock, the amendment was not adopted, and the House adjourned to the usual hour

Signed Wm. McCarver
Speaker.

Attest
J Clay
Secretary.

June 22nd

The house met pursuant to adjournment.

Reports from Standing Committees being called for. Mr Burnett reported the bill with Amendments on road and Highways, which was read 2d time and Committed to a Committee of the whole to be considered this day.

Mr Burnett reported a bill to authorize Hugh Burns to establish a ferry at the Willamette falls, read 1st time,

Mr Burnett reported a bill from the Judiciary Committee read 1st time

The Bill to prevent the introduction sale and manufacture of Ardent Spirits in Oregon, was read 2d time, and ordered to be engrossed for 3d reading.

The Bill on Military affairs, and the bill on Marriages, were both read 2d time and referred to Committee of the whole to be considered this day. The Bill creating a new County at Clatsop was recommitted with instructions,

Mr Lovejoy gave notice that on monday he would ask leave to introduce a bill to authorize John McLaughlin to establish a ferry at the Willamette falls, ...

Mr Newell gave notice that on Tuesday he would ask leave to introduce a bill to authorize John McLaughlin to Construct a Canal at the Willamette falls. Mr Speaker then announced that Mr Newell would

Leave

same as Chairman of the Committee on land Claims.

On motion the house then resolved itself into a Committee of the whole on the State of the Country, Mr. Lawjoy in the Chair.

On motion the bill on Military affairs was taken up; to which Mr Kiezer offered an amendment, which Amendment on discussion was withdrawn

The bill on road and Highways was then taken up, Mr. McCarver offered an Amendment which on Motion was rejected, Sundry alterations and amendments were then made to the bill.

The Bill on Marriage was then taken up and discussd; after which on motion the Committee of the whole rose and the Chairman reported progress

On motion the house adjourned to 2 O.Clock;

The house met pursuant to adjournment, and on Motion of Mr Barnett the rules of the house were suspended, when Mr Hill reported the bill as Amended, creating a new County at Clatsop, which was read 2d time, ordered to be engrossed, and on motion was read 3d time and passed,

Mr Newell reported a bill from the Committee on ways and Means, which was read 1st time, a bill from the Committee on land Claims was read 1st time.

Mr. Lovejoy presented a petition from John McLaughlin for the privilege of Constructing a Canal at the Willamette falls, refer'd to Special Committee, Mr Lovejoy Mr Newell, Mr Waldo to be said Committee

On Motion the Bill on roads and Highways was Ordered to be engrossed, was read 3d time and passed. The bill on Marine was read 3d time and passed.

Mr Gilmore gave notice that on Monday he would ask leave to introduce a bill to authorize Robt Moore to Keep a ferry at the Willamette falls.

On motion the house adjourned to Monday at the usual hour.

Signed
M. M. McCarver
Speaker

Attest,
I. E. Long
Secretary.

June 24th

The house met at the usual hour after the reading of the Journal, Petitions were Called for by the Speaker.

Mr Lovejoy Presented a petition from the inhabitants of Yam Hill County, and others for a waggon road from the Yam Hill to the falls of Willamette River, which on motion was refer'd to the Committee on roads.

Reports were Called for but none were presented,

Resolutions were then called for, when Mr Kiezer Offered a resolution, that the house adjourn to Morrow to the 2d Tuesday in

in December, which on discussion and division of the house was lost.

Mr Gilmore asked leave to present a bill for the protection of Horses, and for other purposes. the bill was refer to the Judiciary Committee.

Mr Gilmore asked leave to introduce a bill authorizing Robt Moore to establish a ferry at the willamette falls, the bill was refer to a Select Committee, Messrs Gilmore Lovejoy and Waldo to be said Committee.

Mr Lovejoy ask leave to introduce a bill authorizing John McLaughlin to establish a ferry at the willamette falls, the bill was refer to same select Committee,

The bill for the prevention of the introduction, sale, and distillation of Ardent Spts, was called up for 3d reading and final passage, upon which Mr Burnett spoke at some length on the advantages that would result to the County by the passage of said bill,

On motion Dr E. White was granted the privilege of making some remarks in favour of said bill, the bill was read 3d time and passed unanimously,

On motion the bill legalizing the acts of Justices of the peace in Oregon was read 2d time,

On motion the rules of the house were suspended for the purpose of

reading said bill 3d time. the bill was read 3d time and passed.

The bill authorizing Hugh Burns to establish a ferry at the Willamette falls, was read 2d time and refered to Special Committee.

The bill on Judiciary was read 2d time and on motion was refered to Committee of the whole house to be considered this day.

The bill on Land Claims was read 2d time, and refered to Committee of the whole house to be considered this day.

The bill on Military affairs was read 2d time, and refered to Committee of the whole house to be considered this day.

The bill on ways and means was read 2d time and refered to Committee of the whole house to be considered this day.

The Appropriation bill was read 2d time and refered to Committee of the whole house to be considered to morrow.

On motion the house then went into Committee of the whole, on the State of the Country Mr Hill in the chair.

The bill on the Judiciary was first taken up; and on motion its Consideration was postponed to to-morrow.

The bill on land Claims was next called up, Mr Burnett offered an Amendment to the bill which was adopted, on motion the bill as Amended was read by sections.

The

The house adjourned to 2. O. Clock.
The house met pursuant to adjournment when sundry alterations and amendments were made to the Land Claim bill.
The bill on ways and means was next Considered and read by sections, upon the motion being put shall the 1st Section be adopted, the yeas and nays were Call'd for, which were as follows. Yeas Messrs Burnett, Gilmore, Hill, Waldo, Mr Speaker Nays, Messrs Kiezer Waldo, Newell 5 yeas and 3 nays so the 1st Section was adopted.
The 2d and 3d Sections having been adopted, on motion being put shall the 4th Section be adopted, the yeas and nays were Call'd for, which were as follows. Yeas Messrs Burnett, Gilmore, Hill, Waldo, Mr Speaker, Nays Messrs Kiezer, Longley, Newell 5 yeas and 3 nays, so the 4th Section was adopted; the remaining Sections of the bill were then adopted.
The minor report on ways and means was on motion laid on the table.
On motion the Consideration of the bill on Military affairs was postponed to Wednesday 2. O Clock
On motion the Committee of the whole house rose and the Chairman reported progress. The bill on Land Claims was read 3d time and passed, on motion the house adjourned to to morrow. Signed

Attest. J. Elong
Secretary.

M M McCarver
Speaker.

June 25th

The house met at the usual hour. Petitions were called for by the Speaker, when Mr Lovejoy presented a petition from Ransom Clark and others, for an additional County at Yam Hill, which was refered to a Special Committee. Mr Lovejoy, Mr Hill, Mr Keizer to said Committee.

Mr Newell presented a petition from O. Hines and others for a charter for Oregon Institute, refered to Select Committee, Mr Burnett Mr Walden, Mr Gilmore to be said Committee.

Mr Newell presented a petition from George Gary and others for an act to incorporate the Methodist Episcopal Church, refered to last mentioned Committee.

Reports from Standing Committees were next Called for, Mr Newell reported a bill from the Committee on Ways and means, regulating the Salaries of Officers &c. received and read 1st time.

Mr Burnett reported back a bill from Committee on roads, and also a bill on Stations, without Amendment, the report was received.

Reports from Special Committees were next Called for, when Mr Lovejoy reported a bill authorizing John McLaughlin to Construct a Canal at the Willamette

Falls

falls, which was received and read 1st time

Mr Waldo reported back from special Committee the bill with Amendments authorising Hugh Burns to establish a ferry at the Willamette falls, which was received.

Resolutions were then called for but none were presented.

Orders of the day.

On motion the rules of the House were suspended for the special purpose of allowing Mr Burnett to introduce a bill for the prevention of slavery in Oregon, without giving previous notice, which on motion was received and read 1st time.

The bill on horses was read 2d time and on motion was ordered to Committee of the whole to be considered this day.

On motion the bill on land Claims was taken up for reconsideration, and ordered to a Committee of the whole House to be considered this day.

On motion the bill granting a ferry to H. Burns was ordered to be engrossed for 3d reading, was read 3d time and passed.

On motion the House went into Committee of the whole, Mr Gilmore in the Chair.

The bill on the Judiciary being first in order, was taken up, read by sections and adopted.

The bill on appropriations was

not Considered and read by sections, on the motion shall the 7th Section be adopted the Yeas & Nays were Called for, which were as follows. Yeas Mr Bill, Kiezer, Lovejoy Vennell, Waldo, Speaker, Nays Mr Burnett 6 yeas and 1 nay so all the sections of the bill were adopted.

On motion the Committee adjourned to 2 - O. Clock.

The Committee met at 2. O. Clock and on motion the Land Bill, was read by sections and adopted, the bill on horses was on motion recommitted with instructions.

The Committee then rose and the Chairman reported progress.

The Bill on ways and means was then read 3d time and passed.

The appropriation bill was read 3d time and passed. On motion the rules of the house were suspended and the Land Claim bill was read 3d time and passed

Mr. Burnett gave notice that on to morrow he would ask leave to introduce a bill to apportion the representation of the several Counties, and one for altering the County Boundaries. Mr. Hill gave notice that he would to morrow ask leave to intro= =duce a bill to appoint road viewers, and the house adjourned to to morrow at the usual hour.

Signed,
M M M Carver
Speaker

Attest
I. E. Long
Secretary.

June 26th

The House met pursuant to adjournment Petitions were called for by the Speaker, when Mr. Burnett presented a petition from H. W. King for a divorce from his wife, which was read and refered to the Committee on the Judiciary.

Reports from Standing Committees were called for. Mr. Newell reported a bill for the appointment of an assessor and other purposes, and also ~~a~~ a bill providing for the salary of the assessor and for other purposes, both read 1st time.

Special Committee. Mr Burnett reported from the special Committee to which was refered the petitions of George Gary and Gustavus Hines for acts of incorporation which report was received.

Mr Lovejoy reported a bill to change the boundaries of Yam Hill County, by an addition of a portion of ~~Marion~~ County thereto, received and read 1st time.

Mr Gilmore reported favorably on the bill to authorize Robt Moore to establish a ferry at the Willamette falls and unfavorably on the Bill to authorize John McLaughlin to establish a ferry at the Willamette falls.

On Motion the rules of the House were suspended for the day.

On motion the bill authorizing Robt Moore to keep a ferry was read 2d time and refered to Committee of the whole to be considered this day.

Mr Burnett presented a bill to amend

Revenue

several acts to organize Counties, which was read 1st time and refer'd to Special Committee, Messrs Burnett, Hill, Gilmore & Lee said Committee.

Mr Burnett presented a Bill to apportion the Representaties of Counties which was read 1st time and refer'd to last mentioned Committee.

Mr Burnett presented a Bill for the regulation of Seamen, read 1st time and refer'd to last mentioned Committee

Mr Hill presented a bill to appoint Viewers of Roads which was read 1st time

On Motion the bill marking an addition to Yam Hill County was read 2d time and on motion was refer'd to Committee of the whole to be considered this day.

Orders of the Day.

The Bill to authorize the opening of a new road from the Willamette falls to the falls of the Yamhill River was read 2d time, and refer'd to Committee of the Whole to be Considered this day.

The bill for the prevention of Slavery in Oregon was read 2d time and on motion was refer'd to Committee of the Whole to be Considered this day.

The Bill for regulating Salaries was read 2d time and on motion was refer'd to Committee of the Whole.

The Bill authorizing John McLaughlin to Construct a Canal at the Willamette falls, was read 2d time and on Motion was refer'd to Committee of the Whole

house to be Considered this day.

Mr Lovejoy presented a petition from P. Ermatinger and others for an act to incorporate Oregon City, which on motion was refered to special Committee, Mr Burnett Mr Lovejoy, Mr Hill to be said Committee

On motion the appropriation bill was reconsidered and refered to the Committee of the whole to be considered this day.

On motion the house went into Committee of the whole, Mr Lovejoy in the Chair, when the bill authorizing John Mc Laughlin to construct a Canal was considered, Mr Burnett offered an Amendment to said bill, which on motion was adopted, the bill was then read by sections and adopted,

The bill authorizing Robt Moore to Keep a ferry was considered, read by sections and adopted,

The bill regulating the salaries of officers was read by sections and adopted

The bill for the prevention of slavery in Oregon was read by sections and adopted.

The Committee adjourned to 2. O. Clock

The Committee met pursuant to adjournment, the bill on Military affairs was next considered and on motion was read by sections and adopted.

The bill to attach a part of ~~Yamhill~~ Yoncalty County to ~~Yamhill~~ Yoncalty County was read and adopted.

The appropriation bill was next

and on motion was read by sections and adopted.

The bill for opening a new road from Willamette falls to Yam Hill River Considered and adopted.

On motion the Committee of the Whole rose and the Chairman reports progress;

On motion the bill on the Judiciary was reconsidered and report to Committee of the Whole to be Considered to Morrow.

Mr. Burnett offered (by way of rider) an amendment to the bill authorizing John McLaughlin to Construct a Canal which Amendment being read 3 times was adopted; The bill as Amended was read 3d time and on motion shall the bill pass, the yeas and nays were Called for, which were as follows, Yeas, Messrs Burnett, Gilmore Kiezer, Lovejoy, Newell, Waldo. Mr Speaker, Nays Mr Hill — 7 yeas 1 Nay, so the Bill passed.

The bill authorizing Rob Moore to keep a ferry at the Willamette falls was read 3d time and passed.

The bill to authorize the opening of a new road from Willamette falls to the falls of the Yam Hill River was read 3d time and passed.

The Bill regulating the Salaries of Officers was read 3d time and passed.

The bill to prevent slavery in Oregon and for other purposes was read 3d time and on motion shall the bill pass, the yeas and nays were called for

which were as follows: Yeas Messrs Burnett Keizer, Gilmore, Waldo, Powell, Mr Speaker Nays Mr Lovejoy. Mr Bill 6 yeas and 2 nays so the bill passed.

The appropriation bill was read 3d time and passed.

The Bill to attach a portion of Iwalaty County to Yamhill County was read 3d time and passed.

The house adjourned to to morrow at the usual hour.

Signed

Attest. M. M. McCarver

I. Ellory — Speaker.

Secretary.

June 27th

The house met pursuant to adjournment. Petitions were called for but none were presented.

Reports from Special Committees were next called for. Mr Burnett from Special Committee reported, recommending the postponement of the Consideration of N. W. Kings Petition for a divorce from his wife until the sitting of the next legislature; the report was received.

Mr Burnett reported the bill on Towns with amendments which was received.

Reports from Standing Committees were then called for, Mr Burnett reported back the apportionment Bill; the bill on Seamen and the bill on the organizing of Counties, without amendment which report was received

Mr Lovejoy reported unfavorably on

on the petition for the Incorporation of Oregon City, the report was received.

Resolutions were next in order.

Mr Gilmore moved, that the bills and petitions which have been reported back unfavourably from the Committee be laid on the table until the sitting of the next Legislature.

Mr Lovejoy moved, that the House at its next adjournment do adjourn sine die, on the vote being taken the Motion was lost.

On Motion the names of the Members were called. Mr Hill being absent, Mr Russell was requested to inform him that his presence was required in the House; Mr Russell reported that, "he could not find him".

Orders of the Day.

The bill for the appointment of road viewers was read 2d time and refered to Committee of the whole house to be considered this day.

The bill providing for the appointment of an assessor for 1846, was read 2d time and refered to Committee of the whole house to be considered this day.

The bill providing for the Election of an assessor after the year 1846, was read 2d time and refered to Committee of the whole house to be considered this day.

The bill on apportionment and the bill on the organising of Counties were both read 2d time, and refered to the Committee of the whole to be considered this day.

On motion the report of the Treasurer for last year was ordered to be laid on the table.

On motion the house went into Committee of the Whole, Mr. Keizer in the Chair.

The Judiciary bill was read and Considered to which some amendments were made, and on motion the bill as amended was adopted.

The bill for the appointment of an assessor for 1844, was read and Considered and on motion was adopted.

The bill for the Election of an assessor after the year 1844 was read and considered and on motion was adopted.

The bill appointing road viewers was read and Considered, and on motion was adopted.

The bill to amend several acts for the Organizing of Counties was read and adopted.

The appropriation bill was read Considered and adopted.

The bill on Seamen was read Consid=ered, and adopted.

On motion the Committee of the whole rose and the Chairman reported progress.

On motion the rules of the house were suspended for the day, when the bill on the Judiciary, the Bill appointing an assessor for 1844, the bill providing for the election of an assessor after 1844, the bill appointing road viewers, the bill Amending several acts for the Organizing of Counties

Counties, The apportionment bill, and the bill on seamen were severally read 3d time and passed.

The house adjourned to 2 O. Clock.

The House met at 2 O. Clock, when Mr Burnett offered a Resolution, Censuring David Hill for his Misconduct in absenting himself from the House, and neglecting his duty as a Member of the Legislative Committee, which on Motion was adopted.

Mr Burnett presented a bill amendatory of a bill in relation to roads, read 1st time and on Motion was read 2d time, ordered to be engrossed, and on Motion now read 3d time and passed.

On Motion the house went into Committee of the Whole, Mr Waldo in the Chair, when the bill for the protection of horses was considered and adopted.

On Motion the Committee rose and the Chairman reported progress. The bill for the protection of horses was read 3d time and passed.

On Motion the thanks of the House were voted to Genl McCarver for the able manner in which he has discharged the duties of his office as speaker of the house, on Motion the house adjourned to the third Monday in December next.

Signed

M M McCarver

Speaker.

Attest

I. E. Long.

Secretary.

Laws of Oregon.

An Act on Roads & Highways Passed 22d June 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Article 1st

Sec. 1. That the following Roads be and they are hereby declared to be public roads and highways. To wit; The road now leading from the Willamette Valley to the Twalaty plains. Also the road leading from Linton to the Twalaty Plains.

Sec. 2. That public roads and highways shall be opened twelve feet wide clear of trees, logs and other obstructions with the stumps cut low, and sufficient bridges and Causeways; and the space of ten feet on each side of the road shall be considered as appropriated to the use of the same.

Sec 3. All male inhabitants over sixteen and under fifty, who would be entitled to vote if of lawfull age, shall be liable to work on roads except as hereinafter provided.

Sec 4. There shall be appointed by the Circuit Court of each County as many Overseers of public roads as the Court may from time to time deem necessary; and such Overseer shall serve for one year and shall be exempt from working on roads

roads; and performing Military duty for ~~the term of twelve months after~~ during his term of service expires.

Sec. 5. That when any road overseer shall be appointed, it shall be the duty of the Clerk to make out a copy of the record of such appointment, within ten days thereafter, and deliver the same to the Sheriff, whose duty it shall be to read the same to the said Overseer, or give him a written Copy of the same, and to return the Original with his return thereon endorsed into the Clerks Office within twenty days after such Sheriff receives the same.

Sec. 6. That if any person refuse to act as overseer when appointed, or fail to perform his duty faithfully without reasonable excuse he shall be fined the sum of fifty Dollars to be recovered before the Circuit Court by indictment with Costs.

Sec. 7. Any person wilfully obstructing any public road, shall be fined for each offence the sum of twenty Dollars and for every day the obstruction shall continue, the further sum of ~~Fifty~~ Dollars to be recovered before the Circuit Court by indictment with Costs.

Sec. 8. Upon the trial of all indictments under the two preceding sections, it shall be sufficient if the indictment be against an Overseer, on the part of the Prosecution to prove by verbal testimony or otherwise that the road is a public road, or used as a public road, that the defendant had been appointed overseer, or had acted

as overseer of such road; and that he had refused to act, or had failed to perform his duty faithfully. And if against a person for obstructing a public road, that the same, was, or was used as a public road, and that the defendant had obstructed the same and how.

Sec. 9. Such indictment if against an Overseen may be in the following form; and if there be no Attorney to prosecute, may be drawn up by the Clerk or any one appointed by the Court.

Oregon } In the Circuit Court
County of } of Term 18

The Grand Jurors for the body of the County of upon their Oath present, That A. B. on the day of 18 at the County aforesaid was Overseer of a public road leading from to and that the said A. B, did then and there refuse to act as such Overseer, or ~~failed~~ (as the Case may be) did then and there fail to perform his duty faithfully, as such Overseen, as aforesaid, Contrary to the form of the Statute in such case made and provided, and against the peace and dignity of Oregon.

Or if for obstructing a public road as follows.

Oregon } In the Circuit Court
County of } of Term 18

The grand Jurors for Oregon for the

body of the County of aforesaid, upon their oath present. That A.B. on the day of 18 at the County of aforesaid, did obstruct a public road leading from to by felling a tree, rolling logs, drawing in rails, timbers, or other obstructions, (as the case may be) Contrary to the form of the Statute in such Case made and provided, and against the peace and dignity of Oregon

Sec. 10. That if such indictment be defective it may be amended at any time without prejudice to the prosecution, and the same shall not fail for want of form

Sec. 11. It shall be the duty of the Circuit Court to appoint some Justice of the Peace in each County as allotting Justice for one year, unless his office as Justice of the peace shall sooner expire; whose duty it shall be upon the application of an overseer, to give to such overseer an allotment of hands, which allotment may be made by boundaries or by a list of names. It shall be the duty of the Clerk to make out a copy of the record of such appointment, and the Sheriff to serve the same, in the same manner as in the case of Overseers.

Sec. 12. New roads may from time to time be established, and old roads changed upon petition to the Circuit Court of the proper County, signed by twelve or more householders residents of the County. Before the Court shall act upon the

same, the Petitioners shall satisfy the Court that they have given notice of the time and place when and where they will present said petition by 4 written or printed advertisements put up in 4 of the most public places in the County, one Month previous to the sitting of the Court.

The Court at the same session shall hear evidence for and against the petition, and shall establish or not establish the road in whole or in part as a public road in its discretion.

Sec. 13. When a new road shall be established or an old road changed as in the preceding section, if the Court deem it necessary, the Court may appoint one or more reviewers, who shall view out the route for said road; and report at the next term of the Court, when the Court may annul said road or change in a road in its discretion. But if the Court be satisfied from the evidence that the route is already well viewed out the Court shall appoint an overseer immediately and order said road, or change in a road to be opened according to law.

Sec. 14. It shall be the duty of each overseer to notify and call out the hands, giving at least three days previous notice, and work on the road as often as may be necessary. Provided no person shall be compelled to work on road more than 6 days in each year.

Sec 15. In all Cases where there shall be no

no Justice of the Peace in the proper County to appoint as alloting Justice the Court may appoint any Individual to ~~act as~~ perform the duties of alloting Justice

Sec 16. When an individual liable to work on roads shall fail to do so, without reasonable excuse, when Notified by the Overseer, he may discharge himself by paying to the Overseer before Suit brought, the Sum of Two Dollars per Day for each day he shall have failed to work, and in case the person so failing to work, shall refuse to pay the same when called upon by said overseer, it shall be the duty of such Overseer to enter Suit against such person before some Justice of the Peace, in his own name or in the name of the County, for the Amount so remaining unpaid; upon such trial neither the Overseer nor the County shall be liable for Costs of the Suit if, but the defendant shall pay Costs if Judgment be given against him, and the Overseer shall be a Competent witness for the Prosecution

Sec. 17. All fines and penalties accrued under and by virtue of this act shall be appropriated by the proper Overseer to the improvement of the proper road except as hereinafter Stated.

Article 2nd

Sec. 1. That Thos McKay. Duparty McKay and Allen Davey, are hereby appointed to view and mark out a road, from the methodist Mission Mills, the nearest and best ~~route~~ route to the Willamette Falls and that they report in part to Daniel Waldo, who is hereby appointed overseer of that part of said road within Champoick County, and in part to Wm Holmes who is hereby declared to be the overseer of that part of said road lying in Clackamas County.

That said Waldo shall have all the hands south of the said Mission Mills, and east of the road leading from the said mills by Chapells to the new Crossing on Pudding River and the said Holmes all the hands in Clackamas County.

Sec. 2 - That Joseph R. Patterson, Joseph Barnaby, and M. Lavoque be and they are hereby appointed to view and mark out a road from the Methodist Mission Mills down the new waggon way nearest the Willamette River, through the wallace prairie crossing at the upper bridge between Barnaby's and Champaigne Place, thence to Champoick, and from Champoick to intersect the road from the methodist Mission Mills to the Willamette falls; and that they report to Robt Newell, and that Robt Newell he and he is hereby appointed

overseer

Overseer of said road, and shall have all the hands in Champoick County except those allotted to Daniel Waldo.

Sec. 3. That Daniel Mathews. Richd Williams and J. L. Griffin be and they are hereby appointed to view out a route for a road, leading from the point where the road from Linton first Strikes the Tualaty Plains, up through Chehalem valley to the falls of the Yam Hill River; and that they proceed to view and mark out said road as early as practicable and report to Daniel Lennox, who is hereby appointed Overseer of said road, and who is hereby required to open the said road according to Law, and authorized to Call on all the hands in Tallaty County, except those assigned to Wm Beagle and Caleb Wilkins.

Sec. 4. That Hugh Burns be and he is hereby appointed Overseer of that part of ~~the~~ the road leading from the Willamette falls to the Tuallaty Plains lying between the falls and the Butte, and that all the hands at and within eight miles of the Willamette ~~River~~ falls and on the West side of the Willamette River, be allotted to work on said part of said road.

Sec. 5. That Wm Beagle be and he is hereby appointed overseer of the road leading from Linton to the Tuallaty Plains and that all the hands at Linton and part of the hands in the Tualaty [illegible] to his overseer.

Sec. 6. That Caleb Wilkins be and he is hereby appointed overseer of that part of the road leading from the falls of the Willamette to the Tualaty Plains which lies between the Butte and said Plains, and that the hands in the Tualaty Plains be assigned to said part of said road.

Sec. 7. That the Judge of the Circuit Court, Sheriff, Clerk, Justices of the peace, the Executive, Constables, and members of the Executive Committee, shall be exempt from working on roads while in office.

Sec. 8. It shall be the duty of the Clerk and Recorder as early as practicable to make out a copy of this act for and deliver to each overseer, for which he shall receive the usual Compensation to be paid out of any funds the overseer may receive as fines or penalties under this act, and in case no fines or penalties be received during the year, then the Clerk shall be paid out of the general treasury for which he may present his account to the next session of the ~~Legislative~~ house. And he shall also make out and give to each set of viewers, one copy of the section of this act appointing them; and shall receive therefor the usual Compensation to be paid out of the general treasury.

Sec. 9. That all roads established under this act shall be public Roads. Signed

Attest. J. Ehong
Secretary.

M. M. McCarver
Speaker

An Act Amendatory of an Act regarding Marriage.

Passed 22d June 1844.

Article 1st

Sec. 1. Be it enacted by the Legislative Committee of Oregon as follows. That all Males of the age of sixteen years and upwards, and all females of the age of twelve and upwards shall be deemed competent to enter into the Contract of marriage.

Sec. 2. That when either of the parties about to enter into the marriage union shall be minors; the male under the age 21 years of the female under the age of 18, no Person authorized to Solemnize the rights of matrimony shall so without the Consent of the Parent or Guardian of such Minor; and in case such person shall Solemnize such Marriage, without the Consent of the Parents or guardian of such Minor, he shall be liable to pay to such Parent or Guardian the sum of One hundred Dollars, to be recovered by action of Debt or Assumpsit before the proper Court: Provided however that the want of such Consent shall not invalidate such marriage.

Sec. 3. That all acts and Parts of acts Coming in Conflict with this act be and the same are hereby repealed.

Signed
M. M. McCarver
Speaker

Attest.
J. Long
Secretary.

An Act to Create an additional County at Clatsop.

Article 1st

Sec. 1. Be it enacted by the Legislative Committee of Oregon; That there be Constituted a County which shall be called Clatsop County and bounded as follows, to wit: Commencing on the south side of the Columbia River at a point Called Oak point, thence south to a supposed line dividing Twalaty County and Yam Hill; thence west along said line to the Pacific Ocean, thence along the Coast to the northern line of Twalaty County, thence East to a supposed line running North from Oak Point, thence South along said line to the place of beginning which shall compose a County for Civil and Military purposes, and shall be under the same laws rules, regulations and restrictions as all other Counties in Oregon, and entitled to Elect the same officers as other Counties in Oregon are entitled to Elect.

Sec. 2. That the term District be stricken out of the Laws and the term County be inserted.

Sec. 3. And be it further enacted, that after the passage of this act, It shall be the duty of the executive Committee to Order a special Election for the County of Clatsop, for the purpose of Electing County officers.

Sec 4. That all acts and parts of acts contrary to this act be and the same are hereby repealed.

Attest.
I. Long
Secretary.

Signed
M. M. McCarver
Speaker

An Act to Prevent the introduction, Sale, and Distillation, Of Ardent Spirits in Oregon.

Passed 24th June 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Article 1st

Sec. 1. That if any person shall hereafter import or introduce any ardent Spirits into Oregon with intent to sell barter or trade the same, and shall offer the same for sale, trade or barter, he shall be fined the sum of fifty Dollars for each and every such offence, which may be recovered by indictment, or by trial before an Justice of the peace without the forms of Pleading.

Sec. 2. That if any person shall hereafter sell, barter, or trade, any ardent Spirits of any kind whatever, directly, or indirectly, to any person within Oregon, he shall forfeit and pay the sum of twenty Dollars, for each and every such sale, trade or barter, to be recovered by indictment in the Circuit Court, or before a Justice of the peace without the form of pleading

Sec. 3. That if any person shall hereafter establish or Carry on any Manufactory or Distillery of ardent Spirits in Oregon he shall be subject to be indicted before the Circuit Court as for a Nuisance: and if Convicted, he shall

be fined the sum of One Hundred dollars and the Court shall issue an order to the Sheriff, directing him to seize and destroy the distilling apparatus, which order the Sheriff shall execute.

Sec. 4. That it shall be the duty of all Sheriffs, Judges, Justices of the Peace, Constables and other Officers, when they have reason to believe that this act has been violated to give notice thereof to some Justice of the Peace, or Judge of a Court, who shall immediately issue his warrant and cause the offending party to be arrested, and if such Officer has Jurisdiction to try such case, shall proceed to try such Offender without delay; and give judgement according but if such Officer shall not have jurisdiction to try the case, he shall, if the party be guilty, bind him over to appear before the next Circuit Court of the proper County;

Sec. 5. That all sales, barters and trades, made under colour of gifts or otherwise with intent to evade this act, shall be deemed a violation of the same; and all fines and penalties recovered under this act shall go into the general treasury; and all Officers receiving the same, shall pay over to the Sheriff, whose duty it shall be to pay the same into the treasury.

Sec. 6. That this act shall not be so Construed as to prevent any Practising Physician from &c.

such liquors for medicine, not to exceed one Gallon at one time.

Sec. 7. That the Clerk shall make out a Copy of this act, and put the same up in Oregon City as early as practicable

Sec. 8. That this act shall take effect within 60 Days from and after its passage.

Signed,
M M McCarver
Speaker

Attest.
I. Long
Secretary.

An Act to legalize the acts of Justices of the Peace in Oregon.

Passed 24th June 1844

Be it enacted by the Legislative Committee of Oregon as follows.

That the Election of all Justices of the Peace heretofore made, and all their official acts, be and they are hereby declared to be legal.

Signed
M M McCarver
Speaker

Attest.
I. Long
Secretary.

An Act to Provide for Ways and Means.

Passed 5th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Article 1st

Sec. 1. That in order to raise a revenue for the purpose of defraying the expenses of the Government; there shall be levied and collected a Tax of one eighth of one per Cent upon the following property at a fair Valuation; to wit: All Merchandize brought into this County for sale, Improvements on Town Lots, Mills, Pleasure Carriages, Clocks, Watches, Horses, Mules, Cattle, and Hogs.

Sec. 2. All male Citizens over the age of twenty one years, being a descendant of a white man, shall be subject to pay a poll Tax of fifty Cents.

Sec. 3. That it shall be the duty of the Collector of revenue, to require of each and every Merchant in Oregon to give him a Statement in writing, of the Amount of all Merchandize on hand, to be stated upon oath or affirmation, which oath or affirmation the Collector shall administer, and said Collector shall Collect and receipt for the Tax upon such Merchandize, which receipt shall serve said Merchant for a license for the next year, Commencing from the time given. And that when a Merchant shall wish to remove

his license, he shall give a similar Statement of all merchandize received by him for sale the preceding 12 months and the Collector shall only require him to pay Tax upon the Amount of said imports.

Sec. 4. That any Person refusing to pay tax as in this act required, shall have no benefit of the Laws of Oregon and shall be disqualified from voting at any Election in this County.

Sec. 5. That the Sheriff shall serve as ex officio Collector of the revenue, for which he shall receive as a Compensation for his services Ten per Cent upon all monies, Collected as revenue.

Sec. 6. That the sheriff before entering upon the duties of his Office as Collector of the revenue, shall enter into bond with two or more, good and sufficient Securities, in a sum of not less than five nor more than ten thousand Dollars, to be approved by the Executive, which approval shall be written on the back of said bond, and the said Collectors bond shall be filed in the Office of the Clerk of the Court.

Sec. 7. That the Collector shall pay over to the treasury on the first Monday in each and every Month in the year all monies that may be in his hand and get the Treasurers receipt therefor.

Sec. 8. That it shall be the duty of the tribunal transacting County business

to require the Collector to settle with said Court at each and every regular term of the Court in Klackamas County.

Sec. 9. The Collector of the revenue shall make full payment into the treasury, on or before the first Monday in ~~December~~ in each year.

Sec. 10. The revenue of Oregon shall be Collected in specie or available Orders on solvent Merchants in Oregon.

Sec. 11. That all acts, and parts of acts, Contrary to this act be and the same are hereby repealed.

Sec. 12. This act to take effect from and after its Passage.

Signed,
M. M. M. C. Connor
Speaker

Attest,
L. E. Long
Secretary.

An Act on Land Claims. Passed 25th June 1844

Be it enacted by the Legislative Committee of Oregon as follows.

Article 1st

Sec. 1. That all persons who have heretofore made, or shall hereafter make permanent improvements upon a place with a bonafide intention of occupying and holding the same for himself, and continue to occupy and cultivate the same, shall be entitled to hold six Hundred and forty acres, and shall hold only one Claim at the same time. Provided, a Man may hold Town Lot in addition to his Claim.

Sec. 2. That all Claims hereafter made shall be in a square form, if the nature of the ground shall permit, and in case the situation will not permit, shall be in an oblong form.

Sec. 3. That in all cases where Claims are already made, and in all cases where there are agreed lines between the parties occupying adjoining tracts, such Claims shall be valid to the extent of Six Hundred and forty acres, although not in a square or oblong form.

Sec. 4. That in all cases where Claims shall hereafter be made, such permanent improvements shall be made within two months from the time of taking up said Claim, and the first settler, or his successor shall be deemed to hold the prior

Sec. 5. That no person shall hold a Claim under the provisions of this act, except free males over the age of 18 who would be entitled to vote if of lawfull age, and Widows: provided no married man shall be debarred from holding a Claim under this act, because he is under the age of 18.

Sec 6. That all laws heretofore passed in regard to land Claims be and the same are hereby repealed.

Sec. 7. That all persons Complying with the provisions of this act, shall be deemed in possession to the extent of 640, Acres, or less as the case may be, and shall have the remedy of Forceable Entry and detainer against intruders, and the actions of trespass against trespassers.

Signed
M. M. McCarver
Speaker

Attest,
I. Chong
Secretary.

An Act to change the line of Yam Hill and Twalaty Counties

Passed 26th June 1849

Be it enacted by the Legislative Committee of Oregon. That the line between Yam Hill and Twalaty County shall be as follows. Commencing in the middle of the Willamette River at the mouth of Pudding River, thence a direct line to the divide of the waters in Chickalem Valley thence due west to the Pacific. Signed

An Act in regard to Slavery, and Free negroes and Mulatoes.

Passed 26th June 1844

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That Slavery and involuntary servitude shall be forever Prohibited in Oregon.

Sec. 2. That in all Cases where Slaves shall have been, or shall hereafter be brought into Oregon, the owners of such Slaves respectively shall have the term of three Years from the introduction of such Slaves to remove them out of the Country.

Sec. 3. That if such owners of Slaves shall neglect or refuse to remove such slaves from the Country, within the time specified in the preceding section such slaves shall be free.

Sec. 4. That where any free negro or Mulattoe shall have come to Oregon, he or she, (as the case may be) if of the age of 18 or upwards, shall remove from and leave the Country within the term of two years for males and three for females, from the passage of this act; and that if any free negro or Mulattoe shall hereafter come to Oregon if of the age aforesaid, he or she shall quit and leave the Country within ther term of two years for Males and three for females from his or her arrival in the Country.

Sec. 5. That if such free negro or Mulattoe be under the age aforesaid, the terms

of time specified in the preceding section shall begin to run when he or she shall arrive at such age.

Sec 6. That if any such free negro or Mulattot shall fail to quit the County as required by this act, he or she may be arested upon a warrant issued by some Justice of the Peace, and if guilty upon trial before such Justice, shall receive upon his or her bare back not less than 20 nor more than 39 Stripes to be inflicted by the Constable of the proper County.

Sec 7. That if any free negro or Mulatto shall fail to leave the Country within the term of six months after receiving such Stripes, he or she shall again receive the same punishment, one in every six months until he or she shall quit the Country.

Sec 8. That when any slave shall obtain his or her freedom, the times specified in the 4th Section shall begin to run from the time when such freedom shall ~~begin to run~~ be obtained.

Signed
M. M. McCarver
Speaker

Attest
I. P. Long
Secretary.

43

An Act to authorize Robert Moore to establish and keep a Ferry across the Willamette River from the Robins Nest to Oregon City. Passed 26th June 1844

Sec. 1. Be it enacted by the Legislative Committee of Oregon as follows.

That Robert Moore be and he is hereby authorized to establish and keep a ferry across the Willamette River, from the Robins nest to Oregon City for the term of one Year from and after the first day of September next.

Sec. 2. And be it further enacted that the said Robt Moore, by or before the first day of Septr next, shall procure and keep at said ferry a good and sufficient flat boat and skiff, with a sufficient number of hands to work the same, for the transportation of all person and their property across the said river when passable without delay for which the said Robt Moore shall pay the sum of twenty Dollars as a revenue for the use of Oregon.

Sec. 3. That the said Moore shall be authorized to Charge the following Rates for ferriage.

For a single Foot man 6¼ Cts — For a man & Horse 12½ Cts
For every waggon & Team 1-50 " — For every Cart & Team 75 "
For every head of horses & Cattle 6¼ " — For every head of Sheep & Hogs 3 "
For every pleasure Carriage 75 " — For every 100 lbs of Goods and other freight 3 "

Signed
W. W. McCainer
Speaker

Attest
I. C. Long
Secretary.

Appropriation Act.

Passed 26th Jan[illegible]

Be it enacted by the Legislative Committee of Oregon as follows.

Sec-1. That the sum of Five Hundred Dollars be and the same are hereby appropriated for the Payment of the Circuit Judge.

Sec. 2- That the sum of One Hundred and Twenty five Dollars be and are hereby appropriated for the purchase of such books and Stationary as may be required for the use of the government of Oregon.

Sec. 3. That the sum of Twenty Dollars be and the same are hereby appropriated for the Pay of the Clerk of the House of Representatives.

Sec. 4. That the sum of One Hundred and twenty five Dollars be and the same are hereby appropriated for the expenses of the Military department.

Sec- 5. That the sum of Fifteen Dollars be and the same are hereby appropriate to pay Mr Hathaway for the use of this house.

Signed,
M. M. McCarver
Speaker

Attest...
J. C. Long
Secretary.

An Act Authorizing John McLaughlin to Construct a Canal around the Willamette Falls.

Passed 26th June 1844.

Sec. 1. Be it enacted by the Legislative Committee of Oregon. That John McLaughlin, his heirs, and assigns, be and they are hereby authorized to Construct a Canal around the Falls of the Willamette, on the east side of the Willamette River, which said Canal shall be sufficiently safe and wide for the Passage of boats of the width of thirteen feet or less.

Sec. 2. That the said John McLaughlin, his heirs, and assigns, are hereby authorized to construct all the necessary walls, pies or other works, for the erection or protection of said Canal; Provided allways that they shall not be so Constructed as to cut off the necessary supplies of water from any mill or Mills now in operation.

Sec. 3. That the said John McLaughlin his heirs and assigns, are hereby authorized to demand and receive the following rates of Toll, to wit:

For every Canoe or Skiff $1-00

For every other water Craft— the sum of fifty Cents for every Ton of Burthen.

For rafts of Sawed Lumber the sum of twenty five Cents for every thousand feet.

For Saw Logs, and all other round or Hewen timber, the sum of ten Cents for each hundred Cubic feet.

Sec. 4. That all privileges conferred by this act shall continue for the term of twenty years from and after the passage thereof.

Sec. 5. That the said John Mc Laughlin his heirs, or assigns are hereby required to complete said Canal within two years from the passage of this act.

Sec. 6. That the said John Mc Laughlin his heirs or assigns, when said Canal shall be finished, shall permit all boats, water Crafts, and rafts, to pass without delay, if the proper toll shall be tendered.

Signed
M M. Mc Carver
Speaker.

Attest
I. Elong
Secretary.

An Act for the Protection of Horses

Passed 27th June 1844

Be it enacted by the Legislative Committee of Oregon, That the act of Iowa Territory entitled "an act for the improvement of the breed of Horses" Approved January 7th 1839. and which has been adopted as the Law of Oregon, shall not be so Construed as to extend to horses owned by Indians.

Signed
M M. Mc Carver
Speaker.

Attest
I. Elong
Secretary.

An Act to make a new road from Willamette to Yam Hill River

Passed 27th June 1866.

Be it enacted by the Legislative Committee of Oregon.

Sec. 1. That Ransom Clark. H. J. Hendree and Joel Walker be and they are hereby appointed to view out and mark a way for a road from the Willamette Falls to the Falls of the Yam Hill river, and that they report to Amos Cook who is hereby ~~appointed~~ appointed overseer of said road and required to open the same according to law.

Sec. 2. That all the hands in Yam Hill County, and all the hands in Twolaty County residing near the Yam Hill river, be assigned to said overseer, and that when opened said road shall be a public road.

Signed.
Wm. M. M. Canon
Speaker

Attest
I. Etong
Secretary.

An Act to allow Gallonies to Certain Officers in Oregon.

Passed 26th June 1844

Be it enacted by the Legislative Committee of Oregon,

Sec. 1. That from and after the Passage of this act Members of the Executive Committee shall Receive One Hundred Dollars each per Annum for their services,

Sec. 2. That the Legislative Committee be and they are hereby allowed Two Dollars each per Day, as a full compensation for their services.

Sec. 3. That the assessor of the revenue be and he is hereby allowed Two Dollars per day as a full Compensation for his services.

Signed.

Attest,
I. E. Long
Secretary.

M. M. M. Carver
Speaker

An Act on Military Affairs in Oregon.

Passed 26th June 1844

Be it enacted by the Legislative Committee of Oregon.

Sec. 1. That immediately after the passage of this act, the Military shall be arranged into one Regiment, two Batallions, and Companies; It shall consist of Infantry, District Companies, Light Infantry, Riflemen, Artillery Men, and Dragoons or mounted riflemen: The Regiment shall consist of not less than six Companies nor more than twelve Companies, two of which shall be light infantry or riflemen; each Company shall consist of not less than thirty nor more than one Hundred Men exclusive of Commissioned Officers. The District of Twality and Clackamas shall form the first Battallion; Champoick and Yam Hill District shall form the second Battallion; each Battallion shall Consist of not less than three nor more than six Companies: The District of Twality shall form two Companies, the district of Klackamas shall form at least one Company, and Champoick District shall Form two Companies and Yam Hill District shall form at least one Company.

Sec. 2- That when a County or District of Country shall be distant or separated, that in the opinion of the

Executive it would be inconvenient for the persons residing therein to belong to an Organized Regiment, they shall be Organized as a Separate Battalion or Company as the Case may require under the Command of a Major or Captain as the Case may require, and be subject to the same rules and regu=lations in all respects that regiments are subject to.

Sec. 3. That to a Regiment there shall be one Colonel, one Lieutenant Colond and one Major. To a Company of infantry, light Infantry or Riflemen, there shall be one Captain, one first Lieutenant and one second Lieutenant; To a Company of Artilery men, Dragoons or Mounted riflemen, there shall be one Captain, one first Lieutenant one second Lieutenant and one third Lieutenant, all Commissioned Officers (except those of the Light Infantry and Rifle Corps) and staff Officers, shall be Clothed Armed and accoutred, as the Commander in Chief may direct

Sec 4. The qualified voters of the several Districts shall Elect their field Officers in the same manner that Civil Officers are Elected, at the Annual Elections, or when due notice shall be given for holding an election, and proper returns shall be made of all such elections, under the same penalty and restrictions as other Elections. All Organized Companies shall elect their

own

own Commissioned Officers. The Commandant of the Regiment shall appoint during his pleasure, one Adjutant one Quarter Master, and one Paymaster who shall be Regimental Treasurer, each with the rank of Lieutenant, also one Surgeon and one Surgeons Mate, one Drum Major, one Fife Major, and one Sergeant Major. That the Captain or Commanding Officer of each Company shall appoint during his pleasure, four Sergeants, one of whom shall be Clerk of the Company; four Corporals and two Musicians.

Sec. 5. That the Captain or Commanding Officer of each infantry or district Company, shall, by his Clerk, enroll all able bodied free male persons, (Indians and Negros excepted) over the age of Sixteen years, and under sixty, residing or from time to time coming to reside within the bounds of his beat or Company district; except such as are hereinafter stated. [illegible]

Sec. 6: That the Militia, for the purpose of improving in Martial exercise, shall Rendezvous by Companies in their respective districts, at least two days in each year. The place of meeting shall be designated by the Captain or Commanding Officer, by putting up, or causing to be put up at least four written or printed advertisements in the most public places in his district, ten days before the day of

Meeting. Captains, or Commanding Officers of volunteer companies, shall in like manner give notice, of the place of the meeting of their respective Companies twelve days previous to said day.

Sec. 7. That on the last Saturday in the month of August in every year, the Colonel or Commanding Officer of each Regiment and seperate Battalion shall by written or printed advertisements put up or distributed fifteen days before said day, call out all Company and Staff Officers under his Command to rendezvous at some convenient and suitable place, where they shall be formed and drilled, in Company Order by the Commandant, and at said Rendezvous, the Commandant shall give to the Officers, public notice where the Regiment or Battalion shall meet; which place shall be within his district, and the time as follows: Regiments shall meet at ten O Clock in the forenoon on the first Monday in Oct. the Captain or Commading Officer of Companies, shall then within proper time, give notice of the intended Regimental or Battalion parade, in the same manner as they are directed by the preceding section in Case of Company rendezvous. Each regiment and seperate Battalion shall assemble in the month of October as aforesaid, for the purpose of drill and parade at such

Place

place as the Commandant may appoint and direct. And at such drill and parade as many evolutions shall be performed, as circumstances and the nature of the Case will permit.

Provided: That at the parades provided for by this and the preceding section, the Militia shall not be kept under Arms more than three hours at any one time.

Sec. 8. That it shall be the duty of every non commissioned Officer and private who owns a rifle, Musket, or fire lock, to appear with it in good order at every parade.

Sec. 9. That in order to ensure uniformity in the organization discipline and Government of the Militia of Oregon, it shall be the duty of the Commander in Chief from time to time, to provide at the expense of Oregon such books of instruction, as are or may be prescribed for the use of the Army or Militia of the United States; and furnish each Commissioned Officer with a Copy; and each Officer shall preserve and keep said book or books in good order, and hand them over to his successor in Office.

Sec. 10. That the Captain or Commanding Officer of each Company of infantry, light infantry and riflemen, shall annually, six weeks before the Annual Meeting of the Legislative Committee, make a full and complete return to

the Colonel or Commandant of the Regiment or Battalion to which he belongs, of the names of all the officers, non Commissioned officers, Musicians and Privates belonging to his Company, also the dates of the Commissions, and place of Residence of the officers; the number and kind of Arms and Accoutrements belonging to, or in the possession of the members of his Company.

Sec. 11. That the Colonels or Commandants of regiments, and seperate Battalions, on receiving the annual returns from the Captains, shall, one month previous to the ~~setting~~ annual meeting of the Legislature Committee, Consolidate them and make returns thereof to the Executive. &

Sec 12. That at each and every parade, either Company, Battalion or regimental the Captain or Commanding Officer of each Company, shall keep a Correct list of the noncommissioned officers, Musicians, and Privates, who are absent without special leave; and on the last parade day in each and every year, he shall detail a Court Martial, for the trial of all who shall have been guilty of any offence in the course of the Current year; said Court Martial shall consist of one Commissioned Officer, and four Privates, the Commissioned Officer shall preside, and in case of a tie, he shall decide. The President of a court Martial shall have

have power and authority to swear and examine witnesses. If the Officer be absent on the day of the Court Martial the Officer who detailed the Court shall immediately supply the vacancy by the appointment of another member of the Company, whether Officer or private, and a report of said absence shall be made to the Commandant of the regiment, and the absentee shall be tried by a Court Martial, and fined in like manner as if he had been absent on the day of the regimental parade And if any one of the Privates be absent, the vacancy shall be immediately filled and the absentee be fined as though he had been absent on a parade day without leave, and without excuse, but he may appeal to the Colonel of the Regiment who shall hear the Cause, and determine it equitably.

Sec. 13. That it shall be the duty of the President of each and every Court Martial held under the authority of this act immediately after Court rises, to make out a return to the district Clerk, of the names of each of the persons fined and the Amount of each fine; the said return shall be made to the Clerk in the district in which the Person fined resides, and the Clerk shall include said fines in the list of Taxes, and they shall be collected in the same manner, by the same Collectors, with the same fees and Costs

and be paid into the regimental treasury the treasurer shall receipt for all Monies received. Said Money shall be applied at the discretion of the Commandant, to regimental, Battalion or Company purposes, so as to make each Battalion or company equal.

Sec. 14. That it shall be lawfull for any Commissioned Officer whenever and as often as any invasion, or imminent danger thereof, may come to his knowledge, to Order out the Militia or any part thereof under his Command, for the defence of Oregon He shall immediatly give notice thereof, detailing all the Circumstances to the Commander in chief, who shall on all occasions, which to him may seem to require it, have full power and authority to Call out any portion of the Militia either by draft, by the acceptance of volinteers, or enmassed.

Sec. 15. That if any Commandant of a regiment Seperate Battalion or Company, shall refuse or neglect to give the proper notice for calling out the Militia under his Command as required by the preceding sections of this act he shall be tried by a Court Martial and fined at the discretion of the Court in a sum not exceeding twenty dollars; and every person subject to do duty under the provisions of this act, who shall be absent except in case of sickness of himself or family, or without

reasonable

reasonable excuse, or if present shall refuse or neglect to answer to his name, and to do duty, or who shall leave his post, or quit the ranks without leave, shall be tried by a Court Martial, and fined, if a Colonel not more than twenty Dollars, nor less than five dollars; if a Lieutenant Colonel or major not more than fifteen Dollars nor less than five dollars, if a Captain not more than ten, nor less than five dollars, if a Lieutenant not more than six dollars, nor less than three Dollars, if a non commissioned Officer, musician or private, not more than three dollars nor less than two dollars.

That every Commissioned Officer who shall be guilty of disobedience of Orders neglect of duty, disrespect towards a Superior Officer, or any other unofficer like Conduct, shall be arrested and tried by a Court Martial, and fined in any sum not exceeding one Hundred Dollars, and may be suspended or Cashiered at the discretion of the Court Martial, If a non Commissioned Officer, Musician or private, shall be guilty of disobedience of Orders, or disrespect to an Officer during the course of the hours of Parade, he shall be arrested and kept under ground during the balance of the three hours, and afterwards at the

discretion of the commanding Officer be tried by a Court martial and fined not less than five Dollars nor more than twenty dollars; if any person whether officer, non commissioned officer or private, or whether belonging to the Militia of Oregon or not, shall appear at any parade wearing any personal disguise, or any unusual or ludicrous article of dress, or any arms weapons or other ~~instrument~~ implement not required by law, and calculated to excite ridicule, or to interrupt the orderly and peaceable discharge of duty by those under arms, he shall be arrested and kept under guard, the balance of the three hours of the parade, and be tried by a Court Martial and fined not more than twenty dollars nor less than five dollars.

Sec. 16. That the Commissioned Officers of any Company shall have power to administer to the oath to the board of Court martial.

Sec. 17. That the Executive shall be Commander in Chief of all the Military forces in Oregon, but shall not command in person unless they think proper.

Sec. 18. And be it further enacted that the following persons be and they are hereby exempted from military duty; all ferrymen and Ministers of the Gospel of all and

and every denomination, who prove to the Commandant of the Company, in whose beat or precint they reside, that he or they, have been regularly ordained or licensed, and are now in full Communion with his or their respective ~~Communion~~ Churches; all practising Physicians, Millers, Clerks and Judges of Courts and Sheriffs, except in case of invasion or insurrection.

Signed
M. M. McCarver
Speaker

Attest
I. E. Long
Secretary

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An Act to Amend the several Acts Organizing Counties.

Passed 24th June 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That all those Parts of any Counties heretofore organized, which lie north of the Columbia River, be and they are hereby stricken off respectively, and that the said river shall constitute the Northern boundary of said Counties respectively.

Sec. 2. All acts conflicting with this act are hereby repealed.

Signed
M. M. McCarver
Speaker

Attest
I. E. Long
Secretary.

An Act Regulating the Executive Power, the Judiciary and for Other Purposes.

Passed 27th June 1844

Executive Power.

Be it enacted by the Legislative Committee of Oregon as follows.

Article 1st

Sec. 1. That the Executive Power of this Government shall be vested in a single Person, who shall be Elected at other Officers, at the next annual Election, and at the annual election to be held every two years thereafter, and who shall hold his office for the term of two years, and until his successor shall be duly elected and qualified; and shall be styled the Executive of Oregon.

Sec. 2. He shall have been a resident of the Country twelve Months previous to his election, shall have paid a Tax for the support of Government, a free Male Citizen not under the age of twenty four years.

Sec. 3. He shall be Commander in chief of the Military power of the Country, shall Commission all Officers, and fill all vacancies by appointment until the next Succeeding regular election. He shall have power to grant reprieves and Pardons, shall see that the laws are faithfully executed, and shall recommend such

measures

Measures to the Legislature Committee as he may think necessary.

Sec. 4. In Case the Executive Chair become vacant by death, removal from office, or otherwise, the Speaker of the house shall fill the office until a successor shall be duly elected and qualified.

Sec. 5. The Executive shall be subject to impeachment before the house for Misconduct in office; and may be removed from office by a vote of two thirds of all the Members present.

Sec. 6. He shall receive for his Salary the Sum of Three Hundred Dollars Annually.

Article 2nd

Sec. 1. The Judicial power shall be vested in Circuit Courts, and in as many Justices of the Peace as shall from time to time be appointed or elected according to law.

Sec. 2. There shall be one Judge Elected by the qualified Voters at the Annual election, who shall hold his office for one year; and until his Successor be duly elected and qualified; and who shall hold two terms of the Circuit Court in each County, at such time and places as by law shall be directed, and shall receive the sum of five Hundred Dollars annually for

his salary. He shall also be entitled to such fees for Probate services, as are by law allowed.

Sec. 3. The Circuit Courts shall have original Jurisdiction in all Criminal cases; and in all Civil cases at law and equity, when the Amount sued for is not under 150 Dollars; and also in all probate and County business; and appellate Jurisdiction from Justices of the peace.

Sec. 4. The Clerk and Recorder shall perform the duties of Clerk of the Circuit Court of each County.

Sec. 5. It shall be lawfull for the Sheriff and Clerk, to appoint as many deputies as may be necessary, being responsible for their conduct, not to exceed one in each County.

Sec. 6. The Circuit court shall cause a grand Jury to be empannelled at each term, to whom the Court shall give a charge; which grand Jury shall consist of not less than twelve nor more than fifteen and ten of whom may find a bill.

Sec. 7. The Court may appoint any person to prosecute in Criminal cases, and when no person will act, the Court shall examine the witnesses for the prosecution, and shall give the law in charge to the Jury.

Sec. 8. The Court shall cause a

to be kept of its proceedings.

Sec. 9. The Court may hold a Called term at any time to try a Criminal

Sec. 10. Justices of the Peace shall have jurisdiction in Civil Cases in all sums not exceeding 150 Dollars.

Laws.

Article 3d

Sec. 1. All the statute laws of Iowa Territory, passed at the first session of the Legislative Assembly of said Territory, and not of a local Cha=racter, and not incompatable with the condition and circumstances of this country shall be the law of this government unless otherwise Modified; and that the Common law of England, and the principles of equity, not Modified by the Statutes of Iowa, or of this Govern=ment, and not incompatable with its principles shall constitute a part of the law of the land.

Sec. 2. That the resolution heretofore passed, and recorded under the 19th Article of the Judiciary, be and the same is hereby repealed.

Sec. 3. That where not otherwise pro=vided, all laws shall take effect and be in force from and after their passage.

Sec. 4. That all acts and parts of acts conflicting with this act, or any acts passed at this session, are hereby repealed.

Sec. 5. That the act heretofore passed making the law of New York in regard to witnesses and Jurors, the law of this Country, be and the same is hereby repealed.

Legislative Power.

Article 4.th

Sec. 1. The legislative power shall be vested in a house of representatives Composed of representatives elected annually by the qualified voters of the several Counties.

Sec. 2. The House of Representatives shall annually meet the fourth Tuesday in June at the Willamette Falls.

Elections

Article 5.th

Sec. 1. All officers shall be elected by the people once a year, unless otherwise provided, at a general Election to be held in each County the first Tuesday in June in each year, at such places as shall be designated by the Judge of the Circuit Court.

Sec. 2. As many Justices of the peace and Constables, shall be elected from time to time as shall be deemed necessary by the Circuit Court of each County.

Courts.

Article 6th

Sec. 1. The Circuit Courts shall be held in the several Counties as follows.

For the County of Clackamas on the first Tuesdays in April and October.

For the County of Champoick on the Second Tuesdays in April and October.

For the County Yam. Hill on the third Tuesdays in April and October.

For the County of Twalaty on the fourth Tuesdays in April and October.

For the County of Clatsop on the first Mondays of March and September.

That the Place of holding said Courts, may from time to time be fixed by the Judge. giving one months notice thereof.

Signed.

M. M. McCarver
Speaker

Attest

L. P. Long
Secretary.

An Act granting Hugh Burns a right to keep a public Ferry across the Willamette river

Passed 25th June 1844

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That Hugh Burns be and he is hereby authorized to keep a ferry across the Willamette River, between Oregon City and the west bank of said river, for the term of one year, by paying to the general treasurer the sum of twenty dollars.

Sec. 2. That the said Burns shall be authorized to charge the following rates:

For a single footman	6¼
" A man and Horse	12½.
" Every waggon & Team	1-50 "
" Every head of Cattle or Horses	6¼.
" Every Cart and Team	75 "
" Every head of sheep or Hogs	3. "
" Every pleasure Carriage	75 "
" Every 100 lbs of goods and other freight	3. "

Sec. 3. That the said Burns shall be required to keep such boats, as the law directs; and shall be subject to the same.

Signed

M. M. McCarver.

Speaker

Attest

J. Long

Secretary.

An Act to Provide for an Assessor for the year 1846, and to regulate the duties of his Office.

Passed 27th June 1846.

Sec. 1. That it shall be the duty of the Executive Committee immediately after the passage of this act to appoint some suitable person as assessor, whose duty it shall be to assess the revenue of Oregon.

Sec. 2. That the assessor so appointed shall, before entering upon the duties of his office, enter into bond to Oregon in a sum of not more than one thousand Dollars, with good and sufficient security, for the faithfull performance of his duty as assessor which bond shall be approved by the Clerk and recorder. which approval shall be written on the back of said bond, and the said bond shall be filed in the office of the Clerk of the Court.

Sec. 3. That it shall be the duty of the Executive Committee as soon as they shall have appointed the assessor as above required, to give notice to the Clerk of the Court, who shall immediately notify such person so appointed of his appointment, and the assessor so appointed shall enter into

bond within ten days after he receives his notice of appointment.

Sec. 4. That it shall be the duty of the Clerk and recorder by or before the first Monday in August. A. D. 1844. to make out and deliver to the Assessor a Blank Tax Book sufficiently Marked and headed for the use of the assessor.

Sec. 5. That it shall be the duty of the assessor to make Complete returns of the assessment on the second Monday of September A.D. 1844 to the Clerk and Recorder, whose duty it shall be to examine the same, and correct all mistakes if any there be and deliver the Tax Book so examined to the Collector as soon as possible and get the Collectors receipt for the same, and the Collector shall Commence Collecting the revenue as soon as possible.

Sec. 6. That it shall be the duty of the assessor to take every mans name who shall refuse to pay a Tax and return a list of the names of all such persons so refusing to the Clerk and Recorder, whose duty it shall be to preserve the same. That

Signed
M. M. McCarver
Speaker

Attest
I. Long
Secretary.

67

An Act to Provide for an Assessor for the year 1846, and to regulate the duties of his Office.

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Sec. 3. That it shall be the duty of the Executive Committee as soon as they shall have appointed the assessor as above required, to give notice to the Clerk of the Court, who shall immediately notify such person so appointed of his appointment, and the assessor so appointed shall enter into

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Sec. 5. That it shall be the duty of the assessor to make Complete returns of the assessment on the second Monday of September A.D. 1844 to the Clerk and Recorder, whose duty it shall be to examine the same, and correct all mistakes if any there be and deliver the Tax Book so examined to the Collector as soon as possible and get the Collectors receipt for the same, and the Collector shall Commence Collecting the revenue as soon as possible.

Sec. 6. That it shall be the duty of the assessor to take every mans name who shall refuse to pay a Tax and return a list of the names of all such persons so refusing to the Clerk and Recorder, whose duty it shall be to preserve the same.

That

Sec. 7. That the said assessor shall have the right to appoint a deputy to assess Clatsop County and shall be responsible for his conduct.

Sec. 8. That the assessor, when he returns the assessment book shall make out a true statement in writing of the number of days he was necessarily employed in assessing the revenue which statement he shall verify by oath or affirmation, and which shall be filed with the Clerk.

Signed

M. M. McCarver
Speaker

Attest

I. Long
Secretary

An Act in regard to Seamen.

Passed 27th June 1844

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That when any seaman or Sailor shall hereafter desert from any ship, sloop, schooner, brig, or other vessel lying in the waters of Oregon before his term of service expires; It shall be the duty of any Judge or Justice of the peace, upon the application of any officer of such vessel, to issue his warrant to the proper officer, and if there be no Constable or sheriff at hand, then said Justice shall appoint some one to execute such process, and cause such deserter to be arrested forthwith, and if upon examination he the Justice be satisfied that such defendant is a deserter, he shall cause him to be delivered to the officer of such vessel to be taken on board the same, there to be dealt with according to the usages among seamen.

Sec. 2. That the regular Costs in such case shall be paid by the Captain or Commandant of said vessel.

Signed

M. M. McLaren

Speaker

Attest

I. E. Long

Secretary.

An Act to regulate the duties of Assessor after the year 1844

Passed 27th June 1844

Sec. 1. Be it enacted that from and after the year A.D. 1844. The assessor of the revenue shall be elected by the eligible voters of Oregon, at the regular elections as other officers are elected.

Sec. 2 It shall be the duty of the assessor within five days after he receives a certificate of his election to enter into bond as required by law.

Sec. 3. That the Clerk shall deliver a blank Tax book to the assessor as required by law on the fourth Monday in June in each year after the year 1844.

Sec. 4. That after the year 1844 the assessor shall make assessment and return the Tax book to the Clerk by the first Monday in September, who shall examine the same as required by law and deliver it to the Collector immediately.

Sec. 5. That the assessor when he returns the assessment book, shall deliver a statement in writing verified by oath or affirmation, of the number of days he has necessarily been employd in assessing the revenue, which statement the Clerk shall file in his Office.

Signed

W M M C Carver

Speaker

Attest

J. Elong

Secretary.

An Act to Amend An Act Passed at this session in regard to roads.

Passed 27th June 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the inhabitants of Twalaty County shall not be required to work on that part of the road, leading from Linton to the Yam Hill falls, that lies in Yam Hill County.

Sec. 2. That Ransom Clark be and he is hereby appointed Overseer of that part of said road lying in Yam Hill County, and that the Citizens of Yam Hill County, shall not be compelled to work on any part of said road lying in Twalaty County.

Signed
M. M. McCarver
Speaker.

Attest
I. E. Long
Secretary.

An Act appointing reviewers upon the road from the Willamette Falls to the Tualaty Plains.

Passed 27th June 1844

Be it enacted by the Legislative Committee of Oregon.

Sec. 1. That A. L. Smith, Adam Hewett, and James Walters, be and they are hereby appointed to view out the road leading from the Willamette Falls to the Tualaty plains; and the said viewers shall continue said road so as to intersect the road leading from Linton to the Yam Hill Falls.

Sec. 2. That the said viewers are hereby authorized to make any alteration or Amendment in the said road that they may deem necessary; and when they shall have viewed the same, they shall report to Caleb Wilkins and Hugh Burns the Overseers of said road.

Provided: That nothing in this act shall be so Construed as to allow said road viewers to Close the road now opened between the house of Henry Black and that of George Ebberts, and that said Ebberts, Henry Buxton and Richd Eoughs, be and are hereby appointed to view out and locate said last Mentioned road, from Geo. Ebberts to the road leading from Linton to the falls of the Yam Hill river, and report the same to Caleb Wilkins, whose duty it is to open the same according to law. Signed M. M. McCarver Speaker

Attest J. E. Long Secr.

An Act to apportion the represen-
tation in the next House
of Representatives.

Passed 27th June 1844.

Be it enacted by the Legislative
Committee of Oregon as follows.

Sec. 1. That in the next House
of Representatives each
County shall be entitled
to the following number
of Representatives.

The County of Clackamas three
The County of Champoick four
The County of Yamhill two
The County of Twalaty three
The County of Clatsop one

Signed

M. M. McCarver

Speaker

Attest
I. Ebony
Secretary.

Journal of the Legislative Committee.

Oregon City Monday 16th Dec 1844.

Pursuant to adjournment the Members of the Legislative Committee met at the house of J. E. Long. When the names of the Members were called, there where present (Messrs. Burnett, Lovejoy, Newell & Mr Speaker. Absent Messrs. Gilmore Hill, Keizer, Waldo. There not being a quorum Present the house adjourned to to morrow.

Tuesday 17th Dec 1844.

The house met pursuant to adjourn=ment. The names of the Members being called there were present Messrs. Gilmore, Lovejoy, Newell, Speaker. Absent—Messrs Burnett, Hill, Keizer, Waldo, There not being a quorum present the house adjourned to 2 O. Clock.

Evening Session.

The house met pursuant to adjournment The names of the Members being called there were present Messrs Burnett Hill, Gilmore, Lovejoy, Speaker, Absent Messrs Waldo & Keizer.

On motion of Mr Lovejoy a Committee was appointed, to wait upon the Executive Committee, and inform them, that the house is now ready to receive any Communication they may have to make

The Speaker appointed Messrs Burnett and

Sonejoy the said Committee.

Mr Burnett returned to the House and reported that the Committee had performed the duty assigned to them, and that the Executive would have a Message to report in a few Minutes.

The House suspended business a few Minutes when the Committee presented the following

Message.

To the Honorable the Legislative Assembly of Oregon.

Gentlemen.

As the expectation of receiving some information from the United States, relative to the adjustment of the Claims of that Government, and Great Britain, upon this Country, near the principle Cause of the adjournment of this assembly from June last to this day; we feel it our duty to Communicate to you such information, as we have been able to Collect upon the subject, likewise to recommend the adoption of such measures, for the maintenance and security of the interests of Oregon.

The lines defining the limits of the seperate Claims of the United States and Great Britain, to this portion of the Country, had not been agreed upon when our latest advices left the United States and as far as we can learn, the question now stands in the same position as it did

before the Convention in London in 1818.

At that time the United States Govern=ment proposed to draw the dividing line on the 49th Parallel of North Latitude, from the lake of the woods to the Pacific Ocean. To this Great Britain would only Consent in part, that the line should run on the 49th parallel, from the lake of the woods, to the dividing ridge of the Rocky Mountains; and it was finally agreed upon between the Parties, that all of the Country lying west of the Rocky Mountains, and on the Pacific Ocean, should unite their harbours, bays and rivers, remain open for ten years, to the Vessels, subjects or Citizens of both Nations; but it was at the same time expressly under=stood, that the said agreement was not to be Construed to affect or prejudice the Claims of either Party, or any other Power, to any portion of said Country.

Before this agreement expired, another Convention was held in London in 1827. by the two Contracting Powers, by which the former treaty was extended with the provisions, that at any time either of the Parties thought fit, after the 20th of Oct 1828. to abrogate the Convention, they were at liberty to do so, by giving twelve Months notice to the other Con=tracting Party; but nothing Contained in the Convention of 1827. was to be Con=strued to affect in any manner the Claims which either of the Contracting Parties, or

any other power or State might have to any part of the Country, west of the Rocky Mountains.

The subject has again been called up for investigation by the two Powers; and a negotiation was begun at Washington in the early part of the present year; but was for the time being suspended in consequence of a disagreement, between the Parties; and notice of the abrogation of the Convention of 1827. had not been given by either party, when our latest information left the United States.

And we trust that after all the negotiations, that have been carried on between the United States and Great Britain relative to settling their Claims upon this Country, from Oct 1818. up to May 1844. a period of nearly 26 years, the question still remains in the following unsettled ~~position~~ position.

Viz. Neither of the two Powers in question Claims exclusive right to the Country, lying west of the Rocky Mountains, between the Parallels of 42° and 54° 40' North Latitude and bordering on the Pacific Ocean. But one Claims as much right as the other; and both Claim the right of joint occupancy of the whole without prejudice to the Claims of any other State or Power, to any part of said Country.

We have submitted to you this information, Gentlemen of the assembly for your

particular reasons,

1st To Correct an error that existed in our last Communication to this body, relative to the Claims of the United States and Great Britain to this Country.

2nd That you may bear in mind, while Legislating for the people of Oregon the position in which this Country Stands with regard to those Claims.

We would advise that provision should be made by this body for framing and adopting a Constitution for Oregon, previous to the next annual Election, which may serve as a more through guide to her Officers, and a more firm basis for her laws. It should be Constructed in such a manner as would best suit the local situation of the Country, and promote the general interest of its Citizens, without interfering with the real or pretended rights of the United States and Great Britain, excepting when the protection of life and property actually require it.

We would suggest for your information that the government has now in possession, notes given by different individuals residing in this Country, amounting to $37,34.26, [redacted] already due

There is [redacted] in favour of the estate of Ewing Young of Oregon deceased, intestate A.D. 1840. After all legal debts, dues, and damages, have been paid,

that shall come to the knowledge of the administrator, of Probate Courts of Oregon up to that date.

I would therefore advise that those demands should be collected, and appropriated to the benefit of the County the Government being at all times responsible for the payment of it, to those who may hereafter appear to have a legal right to the same.

I would again call your attention to a Measure, recommended in our former Communication; namely, the expediency of making Provisions for erecting a Public Jail in the County.

Although the Community has suffered many little as yet, for the want of such a building; and perhaps another year, might pass without being occupied, which it is hoped might be the case; but we are assured that it is bettir policy, to have the building standing without a tenant, than a tenant without the building, and in Order to encourage industry, and promote the peace and welfare of the Citizens of Oregon, the Government must be prepared to discountenance indolence and check crime in the bud.

I would recommend to your Consideration the propriety of making provisions for filling Public offices, which now are, or hereafter may be vended

vacant, by resignation or otherwise,
persons, to the next annual election.

We would recommend that the act
passed by this assembly in June last
relative to Blacks and Mulattoes, be so
amended as to exclude Corporeal punish-
ment, and require bonds for good beha-
viour in its stead.

We consider it a highly important
subject, that the executive of this ~~Ter-~~
~~ri~~ Government should have laws
which may direct them in settling
matters relative to lands reserved by
Indians, which have been, or may
hereafter be settled upon by whites.

We would also recommend that
provisions should be made for the
support of Lunatics and insane
persons in Oregon.

With regard to the state of the
Treasury we refer you to the Treasurers
report to this Assembly.

We are informed that the number of
Emigrants who have come from the
United States to this Country, during
the present year amount to upwards
of 750 persons.

We would advise that the act
passed in June last, defining the
northern boundaries of Twality and
Clatsop Counties, be so explained as
not to conflict with the act passed in
this Legislative Assembly in June 1843
extending the limits of Oregon to 54° 40'
north latitude.

And we would suggest in conclusion, that to preserve the peace, good order, and kind feelings, which have hitherto prevailed among the inhabitants of this Country, depends much upon the Calm and deliberate judgement of this assembly. And we sincerely hope that Oregon, by the special aid of divine Providence, may set an unprecedented example to the world, of industry Morality and virtue.

And although we may never be known as a state or Power, yet we have the advantages by the united efforts of our increasing population, in a diligent attention to agriculture, Arts and Literature, of attaining, at no distant period as conspicuous an elevation, as any state or Power on the Continent of America.

But in order to carry that important measure, and arise to that distinguished station, it becomes the duty of every Citizen of this County, to take a deep interest in its present and future welfare.

As Decendants of the United States and great Britain, we should honor and respect the Countries which gave us birth, and as Citizens of Oregon, we should by a uniform Course of proceeding, and a strict adherence, to the rules of justice

equity, and republican principles; without party distinction use our utmost endeavours to Cultivate the kind feelings not only of our native Countries, but all the powers or States with whom we may have intercourse

Signed. Osborne Russell
P. G. Stewart
Executive Committee
of Oregon

Dated Willamette falls
Dec 16th 1844.

The foregoing Message was read by the Clerk and on motion laid upon the table.

On motion the Treasurer report was called for, The Treasurer informed the house that he would be ready to report to Morrow.

Mr Burnett gave notice that on to Morrow ask leave to introduce several bill, to the house.

On motion of Mr Burnett the Message of the Executive was referred to Committee of the whole house.

A Call being made the Journal of the last days session in July 1844 was read. When Mr Hill rose requesting an explanation regarding a vote of censure against him recorded in the Journal of the house.

Mr Burnett replied to Mr Hill explaining his reasons for the Course he had pursued in relation to such vote of Censure, and

offered the following

Resolution.

That the vote of Censure Passed at the last session of this house upon David Hill a Member of the Senate from Yamhelly County, be unanimously rescinded, as said Member has explained Satisfactory to this house that his absence was occasioned by indisposition and inability to attend.

Which on Motion was adopted.

On Motion the rules of the house were Suspended in order to pass the above resolution, which was read 3 times and Passed.

On Motion the Special Committee to which was referred the Petition of Mr. H. Maxy for a divorce, was discharged from further duties.

On Motion the house adjourned to 9 O Clock to morrow.

Wednesday 18th Dec 1844.

The house met pursuant to adjournment

Mr Lovejoy presented a Petition for an act of incorporation for Oregon City, which on Motion was referd to a Select Committee (Messrs Lovejoy Newell, & Gilmore) the said Committee.

Mr Lovejoy presented a petition from J. L. Meek, asking for an act to appoint him Ministrer, which on Motion was referd to Committee on ways and means.

Mr Lovejoy presented a petition to

open around from Oregon City to Columbia river, opposite Fort Vancouver, and a charter for Constructing a bridge across Clackamas river, which on motion was referd to Committee on roads and highways.

Mr Burnett presented a petition from 175 persons for an act of incorporation authorizing the opening of a water Communication from Tualaty Plains to the Willamette river, which on motion was referd to a select Committee, Messrs Burnett, Nesmell and Hill to be said Committee.

Mr Lovejoy presented the following resolution — Resolved, this house has had its regular session and passed what acts seemed in their judgment necessary for the public safety.

Therefore, Resolved that this body deem it inexpedient to legislate on any other matters, than those which would seem for the immediate safety and protection of the public.

On Motion of Mr Burnett the house proceeded to the Orders of the day —.

Mr Lovejoy gave notice that on to morrow he would ask leave to introduce a bill for the protection of debtors in this Country.

Also an act to amend an act Organizing Counties passed last session.

Mr Gilmore gave notice that he would to morrow ask leave to introduce several bills to the house.

Mr Burnett presented a bill in relation to Probate business.

Also an act Amendatory of an act in relation to Jurors passed last Session.

Also an act regulating the Pay of Jurors

Also an act in regard to Lunatics.

Also an act to erect a Jail

Also an act legalizing the acts of D. Lemon

Also an act appointing a Circuit Attorney

Also an act Calling a Convention.

Also an act in relation to Indians.

Which bills were severally read 1st time and on Motion, (with the exception of the one in relation to Indians, and the one authorizing the erection of a Jail) were read 2d time, and on Motion refered to Committee of the whole House to be considered this day.

On Motion the House went into Committee of the whole Mr Gilmore in the Chair.

On motion all bills were ordered to be read and adopted by sections.

On motion of Mr Lowry the Committee of the whole rose and the Chairman reported progress.

The Treasurer, agreeably to notice made his report as follows.

Received of Collector in Taxes		$313.31
"	Licenses for 2 Ferries	40.00
"	One fine	5.00
		$358-31

Paid out for Stationary $20.38
" for Mrs Nathaways house 15.00
" Judge Babcocks Salery 60.00
" Secretary for Services in house 20-00
$115-38

Balance remaining in Treasury $242.93.
Which report being read was on motion received and laid upon the table.
On motion of Mr Longley the house adjourned to 6 O'Clock

Evening Session
The house met pursuant to adjournment.
Mr Gilmore gave notice that on to morrow he would ask leave to introduce several bills to the house
Mr Burnett gave notice that on to morrow he would ask leave to introduce a bill in behalf of I. L. Meek.
On motion of Mr Longley the house went into Committee of the whole.
- - - - - - - - -
On motion of Mr Longley the Committee of the whole rose and the Chairman reported progress.
Mr Burnett from select Committee to which was refered the Petition of 175 Petitioners for authority to Construct Rock Works as mound across a water Communication from Tualaty to Willamette river, the report was received and the bill read 1st time.

On Motion of Mr Burnett the rules of the house were suspended, and the following bills were read 3d time and passed.

An Act authorizing the Judge & Clerk to grant Letters Testamentary and of administration during vacation.

An Act for the appointment of a Circuit Attorney.

An Act Amendatory of an Act on the Executive Power, the Judiciary &c.

An act regulating the Practice of Law in regard to Infants.

An act to Legalize the Acts of D. Lennox.

On Motion of Mr Gilmore the house adjourned to 9 O. Clock to Morrow.

Thursday 19th Dec 1844.

The House met pursuant to adjournment.

Mr Lovejoy presented a petition from L. H. Judson, and Dr. H. Wilson for a Charter to Construct a Canal in Champoick County which on Motion was refer'd to Select Committee, Messrs Lovejoy, Hill & Gilmore to be the Committee.

Mr Lovejoy presented a petition for a road to the Island Mills, at the Willamette falls, refer'd to a Select Committee, Messrs Hill Burnett & Gilmore to be said Committee.

Mr Lovejoy presented a petition from John McLaughlin, praying that the

Willamette falls, referd to Committee on roads. Mr Newell and Mr Hill were appointed to fill the vacancies occasioned by the absence of two members of the committee on roads,

Mr. Burnett presented a petition signed by Robt Moore, John Campbell V. N. Dawson, & H. Perrin, remonstrating against the petition from 175 Individuals, praying that a water Communication may be opened from the Tualaty Plains to the Willamette river, which remonstrance was referd to a select Committee, Mr Burnett Mr Hill, Mr Newell to be said Committee.

Mr. Burnett Presented a petition a petition in behalf of Joseph L Meek Sheriff of Oregon.

Mr Gilmore introduced a bill to authorize the taking the Census of Oregon which was read 1st time,

Also a bill in relation to road viewers read 1st time.

Also a bill allowing Dan'l Moore assessor read 1st time.

Also a bill allowing the fees of S Elong Clerk read 1st time.

Also a bill allowing the fees of J L Meek Sheriff read 1st time.

Mr Lonjoy presented a bill in relation to the boundaries of Oregon. read 1st time.

The house proceeded to the Orders of the day,

The bill authorizing the Erection of a Jail and for other purposes, was read 2d time and referd to Committee of the whole house to be Considered this day

The bill in regard to Slaters was read 3d time and passed.

On Motion the order of the day requiring bills to be engrossed was suspended.

The bill in regard to Indians was read 2d time and referd to Committee of the whole to be considered this day.

The bill authorizing the locating a Convention was read 3d time, and on its final passage was lost.

The bill appointing Jesse Applegate Engineer was read 2d time and referd to Committee of the whole house to be considered this day.

On Motion the House adjourned to 6 O Clock.

Evening Session.

The House met pursuant to adjournment, There not being a quorum present the House adjourned for 10 Minutes;

The House met pursuant to adjournment;

Mr Lovejoy from the Special Committee to which was referd the petition praying for an act of incorporation for Oregon City reported a bill which was read 1st time.

Mr Hill from the Committee to which was referd the petition for a road from Oregon City to the Island above the same, reported a bill, which was received and read 1st time.

Mr Gilmore gave notice that on to morrow he would introduce an appropriation bill.

Mr Hill gave notice that on to morrow he would introduce a bill on apportionment.

On Motion the house went into Committee of the whole, Mr Lovejoy in the Chair.

On motion of Mr Burnett the Committee of the whole rose, and the Chairman reported progress.

Mr Burnett gave notice that on to morrow he would introduce a bill on behalf of Jas Connor.

On Motion the House adjourned to 9 O Clock to morrow.

Friday Dece 20th 1844.

The house met pursuant to adjournment

Mr Burnett presented a petition on behalf of Jas Connor, which was laid upon the table,

Mr Newell from the Select Committee to which was referred the petition of L. H. Judson and Wm H. Wilson, for a Charter to construct a Canal in Champaign County, reported a bill which was read first time.

Mr Hill, pursuant to notice introduced a bill to amend the apportionment act passed last Session, which was read 1st time.

Mr Gilmore introduced an appropriation

act, which was read 1st time.
On Motion of Mr Burnett. The house pro-
=ceeded to the Orders of the day.
The bill to provide for taking the Census
of Oregon was read 2d time, and referred
to Committee of the whole to be Considered
this day.
The bill for the relief of J. L. Meek Sheriff
of Oregon was read 2d time and referred
to Committee of the whole to be Considered
this day.
The bill in relation to road viewers
was read 2d time and referred to Committe
of the whole to be Considered this day.
The bills allowing pay to Robt C Newell
J. Long, & J. L. Meek were read 2d time
and referred to Committee of the whole
to be Considered this day.
The bill defining the boundaries of
Oregon was read 2d time and refer-
to Committee of the whole to be Consider-
=ed this day.
The bill in relation to debtors in
Oregon, was read 2d time and refer-
to Committee of the whole to be Consi-
=dered this day.
The bill to open a road from Oregon
City to the Island above the [illegible]
was read 2d time and referred to
Committee of the whole to be Considered
this day.
The bill incorporating Oregon City
was read 2d time and refered to Com-
=mittee of the whole to be Considered this
day.

The bill in relation to Indians was recommitted to Committee of the whole to be considered this day.

On motion the house went in to Committee of the whole. Mr Newell in the Chair.

On motion of Mr Lovejoy the Committee of the whole rose and the Chairman reported progress.

On motion of Mr Lovejoy a Committee was appointed to select a lot on which to erect a Jail. Mr Lovejoy, Mr Newell, and Mr Gilmore, was appointed said Committee with instructions to report this day.

On motion the house adjourned to Six O. Clock this Evening.

Evening Session.

The house met pursuant to adjourn-ment.

Mr Lovejoy gave notice that on to morrow he would ask leave to introduce a bill to provide for taking a vote whether or not a majority of the Citizens of Oregon are in favour of holding a Convention to frame a Constitution for the Government of this Country.

Mr Lovejoy from the Committee which was appointed to select a lot on which to erect a Jail, reported that they had selected such lot, and also reported a Communication from John McLaughlin, donating said lot

to Oregon for the purposes aforesaid, which report was received.

On motion of Mr Lovejoy the House went into Committee of the whole, Mr Gilmore in the Chair.

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The bill for the relief of Jas Connor was read 2d time and refer'd to Committee of the whole to be considered this day.

The Appropriation bill was read 2d time and refered to Committee of the whole to be considered this day.

On motion of Mr Longjoy the house went into Committee of the whole Mr Burnett in the Chair.

After some time spent therein, the Speaker resumed the Chair, and Mr Burnett reported that the Committee had under its Consideration the bill in relation to erecting a Jail.

On Motion of Mr Gilmore the house adjourned to 9 O Clock on Monday.

Monday Dec 23d 1844.

The house met pursuant to adjournment Mr Longjoy presented a petition from J. M. Mott remonstrating against erecting the Jail upon the lot selected by the Committee of this house, appointed for that purpose. On motion the petition was laid upon the table.

On motion the house proceeded to the Order of the day.

The bill for the erection of a Jail was refered to Committee of the whole house to be considered this day.

The bill in relation to Indians was read 3d time and passed.

The bill for the relief of J. Lovell was read 3d time and passed.

The bill on taking the Census of Oregon in 1845. was on Motion recommitted to Committee of the whole to be considered this day.

An act in relation to road Viewers was read 3d time and Passed.

The bill describing the boundaries of Oregon was recommitted to Committee of the whole with instructions to amend.

The bill in relation to debtors in Oregon and non resident Creditors was read 3d time, when Mr Lovejoy called for the Yeas and Nays, which were as follows Yeas Mr Lovejoy 1. Nays Messrs Burnett Gilmore. Newell. Hill, & Mr Speaker 5. so the bill was lost.

The bill for the relief of Jas Connor was read 3d time and Passed.

On Motion of Mr Lovejoy the house resolved itself into Committee of the whole Mr Newell in the Chair, after hearing several bill under consideration the Speaker resumed the Chair and the Chairman reported progress.

Mr Lovejoy was appointed by the Speaker, Chairman of the Committee for record.

On Motion of Mr Lovejoy the house adjourned to 6 O'Clock this Evening.

Evening Session.

The house met pursuant to adjournment. Mr Lovejoy in pursuance of previous

notice, introduce a bill to provide for taking a vote in relation to holding a Convention, which was read 1st time
Mr Gilmore from the Committee on ways and means, reported unfavourably upon the petition of D. Smith, for license to act as auctioneer, which report was received.
The bill for the relief of Jad Conner was read 3d time and passed.
The bill on apportionment was read 3d time, when Mr Speaker called for the yeas and nays, which were as follows.
Yeas Mr. Hill, Mr Speaker 2. Nays Messrs Bennett, Gilmore, Veazie, Lovejoy, Hill 4. So the bill was lost.
The bill appointing Jesse Applegate Engineer was read 3d time and passed
On motion the house went into Committee of the whole Mr Gilmore in the Chair; when several bills were considered, and on motion the Speaker resumed the Chair, and the Chairman reported progress.
On motion the house adjourned to 9 O'Clock to morrow.

Tuesday 21th Dec 1841.

The house met pursuant to adjournment
Mr Lovejoy presented a petition in relation to land claims, which was referred to Select committee, Messrs Lovejoy, Gilmore & Hill the Land Committee,
Mr Lovejoy from Committee on roads

Which was refered the petition of W. H. Gray and others, for a road from Oregon City to a point on the Columbia river opposite Sauvies Island,

Also a petition from Hugh Burns for an increase of the rates of ferriage

Also the petition of John McLaughlin to establish a ferry, reported unfavorably which report was rejected, and the Committee was instructed to report a bill to increase the ferriage toll of Hugh Burns.

On Motion of Mr Lovejoy, the House proceeded to the Orders of the day.

The bill for the erection of a jail was read 3d time and Passed.

The bill to incorporate Oregon City was read 3d time and Passed.

Also the bill defining the boundaries of Oregon.

Also the bill for opening a road from Oregon City to the Island above the same.

Also the appropriation bill; each Severally read 3d time and Passed.

The bill to call a Convention was read 2d time and refered to Committee of the whole this day.

On Motion of Mr Burnett the House adjourned to 2 O'Clock this afternoon.

Afternoon Session.

The House met pursuant to adjournment

Mr Lovejoy from the Special Committee to which was refered the

Petition of Wm. H. Lyon and others for an Amendment of the Law on Land Claims, reported recommending an Amendment to the Act to Amend Law.

On Motion the rules of the House were suspended for this day.

Mr. Burnett introduced a bill entitled Claims, which was read 1st time, and on Motion was read 2nd time, and referred to Committee of the whole this day.

Mr. Lowry introduced a bill entitled which was read 1st & 2nd time and referred to Committee of the whole this day.

Mr. Burnett presented a petition from Robt Moore for an increase of ferriage toll, referred to Committee of the whole.

On Motion of Mr. Burnett the House resolved itself into Committee of the whole, Mr. Neuell in the Chair.

The Land Central bill, under consideration when the Speaker resumed the Chair, and the Chairman reported Progress.

On Motion of Mr. Neuell the House adjourned to 6 O'Clock this Evening.

The House met Pursuant to adjournment.

The bill authorizing the Construction of a mile race in Champoeg County, and granting L. H. Judson and W. H. Wilson a charter for the

Same was read 3d time and passed
The bill providing for the manner of
voting in relation to a Convention
in 1845. Preparatory to framing
a Constitution for Oregon, was read
3d time and Passed.
An act amending the several acts
on land Claims was read 3d time
and Passed.
The bill granting an increase of
the rate of postage was read 3d
time and Passed.
On Motion of Mr Burnett the House
resolved itself into Committee of the
whole Mr Hill in the Chair.
After Considerable discussion on the
bill in relation to the Pay of Jurors.
The speaker resumed the Chair, and
the Chairman reported the bill back
without amendments,
On Motion, the bill in relation
to the Pay of Jurors was taken up by
sections for 3d reading and final pas-
sage, and on the final passage
of the 1st section, reducing the pay
of Grand Jurors to 50 Cts pr day. The
Ayes & Nays were called for which were
as follows. Ayes Mr Burnett and Mr
Belknap. Nay, Mess Hill, Lovejoy
Newell, & Speaker 4 So the 1st section
lost.
Upon the final passage of the
remaining parts of the bill, the
Ayes & Nays were called for by Mr
Burnett, which were as follows.

Ayes Mr Barnett, Mr Gilmore Mr Hill & Mr Speaker 4. Noes Mr Lowry & Mr Newell 2. So the remaining Parts of the Bill was passed.

On Motion of Mr Barnett the House adjourned, sine die.

Signed

Attest— M. M. M'Gamey
Speaker

J. Elson
Clerk.

An Act to Incorporate Oregon City
Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That so much of the County of Clackamas, as is comprised within the limits of the Town Plat of Oregon Oregon City, laid off by John McLoughlin Esqr, and as surveyed by Jesse Applegate in Dec 1843, with the addition thereto by continuing up the Willamette river to the head of the Island, including all that portion under the Bluffs, on the east side of said river, be and the same is hereby created a City Corporate, and shall hereafter be known by the name and style of "Oregon City".

Sec 2. That the qualified Voters for Members of the Legislative Assembly, residing within the limits of said Corporation shall meet at some convenient place within the same on the first Wednesday of January now next, and on the first Wednesday of January annually thereafter, at such place in said Oregon City, as the City Council shall direct, and then and there proceed to elect a mayor, recorder, and five Trustees, who shall have the qualifications of electors, and reside within

the limits of the Corporation: and the Mayor, recorder, and Trustees so elected shall hold their Office one year, and until their successors are elected and qualified. Provided that a failure to elect on said day, shall not forfeit the Charter, but an election may be held on any succeeding day by giving due notice.

Sec. 3. That at the first Election to be held under this act, two Judges and a Clerk shall be chosen, viva voce, by the Electors present, and at all subsequent Elections, the Mayor or any two of the Trustees shall sit as Judges and the recorder, or in his absence, some one of the Council, pro tem pore, shall sit as Clerk, and at all such ~~grand~~ Elections, the polls shall be opened between the hours of one and two o'clock in the afternoon, and close by the hour of four on the same afternoon, and at the close of the polls, the votes shall be counted, and a statement thereof proclaimed, at the door of the house in which the Election shall be held, and the persons elected shall within ten days after their Election, take an oath to support the laws of Oregon, and an Oath of Office, a Certificate of which shall be deposited, with the recorder and by him preserved.

Sec. 4. The Mayor, recorder and Trustees of said "Oregon City," shall be a body politic and Corporate, with perpetual

succession to be known by the name of
the "the corporation of"
"Oregon City." and shall be capable
in law to acquire property, real
and personal for the use of said City,
and sell and convey the same; may
have a common seal, and may alter
the same at pleasure; may sue and
be sued, plead and be impleaded,
answer and be answered in any
Court of law, or equity in Oregon.
and when any suit shall be commenced against said Corporation,
the first process shall be a summons
a certified Copy of which shall be
left with the recorder, and in his
absence, with the mayor, at least
ten days previous to the return day
thereof.

Sec. 5. That the Mayor, Recorder and
Trustees, or a majority thereof, of whom
the Mayor or Recorder shall always
be one, shall have authority to make
Ordain, and Publish, all by Laws
and Ordinances not inconsistent
with the laws of Oregon, as they
shall deem necessary and proper
for the promotion of Morality, as well
as for the good regulation, interest,
safety, health, cleanliness, and
convenience of said Oregon City, and
the Citizens thereof; They shall have
power to fill all vacancies that may
happen by death or otherwise, of any
of the offices herein named; they
shall also have power to appoint

a Recorder, Marshall, and such subordinate officers as they may deem needful, prescribe their duties, and require surety for their performance, to remove them at pleasure, and to establish the fees of all Officers in the Corporation, not established by this act; they shall have power to impose fines for the breach of their Ordinances, but no fine shall be imposed, on any one person, for any one breach of any one Ordinance of more than ten dollars, which fine may be recovered, with Costs of suit, before a Justice of the Peace, by action of debt in the name of the Corporation. All fines collected in Pursuance of this act, shall, by the Officer collecting the same, be paid over to the Treasurer of the Corporation.

Sec. 6. It shall be the duty of the Recorder to keep a true record, of the bye laws and Ordinances, and of the proceedings of the Council, which record shall be at all times kept open for the inspection of the Electors of said City, and the Recorder shall preside, at all meetings in the absence of the Mayor.

Sec. 7. That the City Council shall have power to assess, for Corporation purposes an Annual Tax on all property, in said City, made subject to Taxation by the laws of Oregon, not exceeding in any one year, one per Centum

on the value thereof, which value shall be ascertained by an assessor, appointed by the City Council for that purpose; a duplicate of which shall be made out by the Recorder and delivered to the Collector.

They shall have power to equalize any injudicious assessment thus made, on Complaint of the person aggrieved.

Sec 8. That the City Marshall shall be Collector of any Tax assessed, and he is hereby authorized and required, by distress and Sale of Property, as Constable, on execution, to collect and pay over said Tax to the Treasurer, within three Months after the time of receiving the duplicate thereof, and the Treasurer receipt shall be his Voucher. The City Marshall shall make personal demand of every resident Charged with Tax, and shall give ten days notice by advertisement, in three of the most public places in said City ~~Corporation~~, of any Tax, and if the Tax on any lot or piece of land, on which no personal property can be found, shall remain unpaid three months after the expiration of the time by this act allowed the Collector for the Collection of the Tax; then the City Marshall shall give notice in the nearest newspaper, (if any there shall be in Oregon) if not, by Posting up at least three public notices in the most public places in Oregon, stating the amount of such Tax and the number of the lot on which it is due, and that the

same will be sold to discharge such Tax, unless the Payment thereof be made within three months from the date of such advertizement, and if such tax be not paid within that time, the City Marshall, after giving thirty days notice of the time and place of sale, in three of the most public places in said City shall proceed to sell at public auction, so much of said lot or piece of land, as will discharge said Tax.

Sec. 9. That if the owner of such lot or piece of land shall appear at any time within two years after such Sale and pay the purchase money with interest, and twelve per centum penalty thereon, he shall be entitled to the right of redemption. Provided, that nothing in the two preceding sections, shall affect the right of others in law or equity, to the benefit of the right of redemption, where they shall arrive at full age.

Sec. 10. Twenty days before each annual Election, the City Council shall put up in some conspicuous place, within said City, ~~Town~~, an accurate account of the Moneys received and expended by said Corporation. Since the last annual Election, with the sources from which they were derived, and the object on which they were expended, which shall be certified by the Recorder.

Sec. 11. The said Corporation shall have

power to regulate and improve all streets, alleys, side walks, drains, and sewers; to think and keep in repair public wells, or monuments, and regulate markets, to grant licences within the limits of said corporation and appropriate the proceed of such licences for the benefit of the City; they shall have power to license and regulate, or prohibit, all shows and public exhibitions; Provided, however that the power hereby granted shall not be so construed as to conflict with the General laws of Oregon regulating the same.

Sec. 12- That said ~~Corporation~~ City shall have power to establish and organize a fire department, to procure an engine, hose, hooks, ladders and other implements for use in the arrest and extinguishment of fire.

Sec. 13. That the by laws and ordinances of said Corporation shall be posted up in some public place in said City, fifteen days before taking effect thereof, and the certificate of the recorder upon the City record shall be sufficient evidence of the same having been done, and every Annual Election herein authorized shall be preceded by five days notice thereof, given in three Public places in said City.

Sec. 14. That the Mayor or a Majority of the Council ~~men~~ may call a

meeting of the City Council whenever in his or their opinion the same may be necessary. The Mayor and Trustees shall receive no Compensation unless the same shall be authorized by the inhabitants in legal meeting assembled.

Sec. 15. Any future Legislature may alter, amend or repeal this act.

Signed

M. M. McCarver

Speaker -

Attest

A. C. Long,

Clerk

An Act to Establish a public road from Oregon City to the Saw and Grist Mills on the Island above the same.

Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That Daniel Hill, Robert Moore and Peter N. Kater be, and they are hereby appointed reviewers to view and mark out a route for a public road leading from Oregon City to the Saw and Grist Mills, situated upon the Island immediately above said City, and that said reviewers before entering upon the discharge of their duties, take an oath to discharge them faithfully; and when said route shall be viewed and marked out, said reviewers shall immediately report to John Force, who is hereby appointed Overseer of said road.

Sec. 2. That before such reviewers shall proceed to view out said route for such road, they shall give five days previous public notice, by at least 4 written advertisements put up in 4 public places in Oregon City, of the time when they will commence said review.

Sec. 3. Said reviewers shall view and mark out the route for said road in such a manner as to do as little injury to private property as possible, while at the same time they have a

due regard to the interests of the public.

Sec. 4. Such road shall be so constructed as not to interfere with the privileges granted to John McLoughlin by an act passed at the last session, granting him a Charter for a Canal around the Willamette falls.

Sec. 5. That in case any objection shall be made to the said road, by any person having property likely to be injured by its establishment, the said reviewers shall immediately notify Jesse Applegate, Morris Ety, and J. H. Rolf, who shall take an oath to discharge their duties faithfully, and a true assessment make of all damages which will be done to private property by the establishment of such road.

Sec. 6. Before proceeding to assess such damages, the said assessors shall give public notice by 4 written advertisements put up 4 days previous in public places in Oregon City, of the time and place when and where they will make such assessment.

Sec. 7. The said assessors at the time and place mentioned in said notice, shall assemble and shall hear testimony under oath, which the first named assessor is hereby authorized to administer to all persons by them produced.

Sec. 8. The said assessors shall make such assessment, and shall report to

the said Assessor, who shall not proceed to permit such road to be opened, until the petitioners or a sufficient number of them, shall give bond and good security to the person or persons in whose favour such damages may be assessed, that such obligors will pay such damages within the term of five months.

Sec. 9. Such road shall be opened, and such bridges erected, as may be necessary, by the petitioners themselves, under the superintendance of such Assessor.

Sec. 10. That the construction of said road shall be completed within Eighteen Months from and after the passage of this act.

Signed Wm. M. McCann
Speaker

Attest
I. E. Long
Clerk.

An Act Explanatory of an Act Entitled an Act to Amend the several Acts Organizing Counties. Passed the 27th June 1844. Making the Columbia River the northern line of Clatsop Twality and Clackamas Counties.

Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

That Oregon Shall Consist of the following Territory. Commencing at that point on the Pacific Ocean, where the Parallel of 42 degrees of North Latitude Strikes the Same, and agreed upon by the United States and New Mexico. Thence North along the Coast of said Ocean, So as to include all the Islands, bays and harbors Contiguous thereto, to a point on said Ocean, where the Parallel of 54 degrees and 40 Minutes of north Latitude Strikes the Same. Thence East along said last Parallel, as agreed to between The United States and Russia, to the Summit of the main dividing ridge of the Rocky Mountains, dividing the waters of the Atlantic and Pacific Oceans, Thence Southerly following Said Main dividing ridge, to the said Parallel of 42 degrees north Latitude and thence West to the place of beginning

Attest
I. E. Long
Clerk

Signed M. M. McCarver
Speaker

An Act appointing Jesse Applegate Engineer. Passed 23rd Dec. 1844

Be it enacted by the legislative Committee of Oregon as follows.

Sec. 1. That Jesse Applegate be and he is hereby appointed an Engineer to survey out a route for a Canal from the now Crossing of the Falaty River to the head Waters of Tuckers of Stony Creek, thence down the said Creek to the Willamette River. noting particularly what number of locks, Dams or other works are necessary, in order to ensure at the least Cost, a safe and Commodious Means of Transportation for Produce &c from said Tualaty to Willamette River; and such other important information as may bear upon the subject; said Engineer shall first take an oath to discharge his duties faithfully, and shall make his report to the next Session of this house, together with his Charge for his services, which Charge shall be paid by J. E. Long.

Sec. 2. That in the event said Engineer after having made the above Survey, shall in his Judgement deem the Construction of such Canal practicable, he shall then proceed to examine the Tualaty river from the point where said Canal would leave said Tualaty river, to where

a Bridge is being Constructed on the said river, at the Crossing of the public road from Linton to the falls of the Yam Hill River," noting the obstructions that exist, estimating the probable cost of their removal, and the distance between the two points above mentioned and make his report to the next Session of the Legislature, as required in the 1st Section of this act, and his charges for such services shall be paid as therein provided.

Sec. 3. That before said Engineer shall be required to make said Survey, the said J. L. Long shall give satisfactory security to said Engineer for the Payment of the Costs of such Survey.

Sec. 4. That the Clerk be required to send to said Engineer a Copy of this act.

Signed
M. M. McClennen
Speaker

Attest
J. E. Long
Clerk.

An Act to provide for holding a Convention. Passed 24th Dec. 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the Executive Committee shall in manner prescribed by law for notifying Elections in Oregon, notify the inhabitants of all respective counties, qualified to vote for the Members of the Legislature at their next annual election to give in their votes for or against the call of a Convention.

Sect 2. That said votes shall be in open Meeting recorded, asserted, and [redacted]counted, and a true return thereof made to the Executive Committee agreeably to the requisitions of the law regulating Elections.

Sec. 3. It shall be the duty of the Executive to lay the result of said vote before the Legislative Committee for their information.

Signed
Jno. McLaren
Speaker

Attest
A. E. Long
Clerk

An Appropriation Act. Also an Act to provide for insane persons in Oregon. Passed 24th Decr 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec 1. That the sum of One Hundred Dollars be and the same is hereby appropriated for the Pay of the Legislative Committee.

Sec 2. That the sum of Sixty Dollars be and the same is hereby appropriated for the Pay of the assessor for the Year 1844.

Sec. 3. That the sum of Ninety Six Dollars be and the same is hereby appropriated for the Pay of the Secretary.

Sec. 4. That the sum of One Hundred and Eleven Dollars 96 3/4 Cents be, and the same is hereby appropriated for the Pay of the Sheriff.

Sec. 5. That the sum of three Hundred Dollars be and the same is hereby appropriated for the Pay of the Jurors.

Sec 6. That fifty Dollars be and the same is hereby appropriated for the Pay of A. L. Lovejoy for his services as Circuit Attorney for Oregon.

Sec. 7. That the sum of Twenty Dollars be and the same is hereby Appropriated to pay J. Long for the use of his house for the Legislature.

Sec. 8. That the sum of Two Hundred

Dollars be and the same is hereby appropriated to defray the expense of keeping Lunatics or insane persons in Oregon.

Sec. 9. That if there be any such Lunatic, upon Complaint made to a Justice of the Peace, such Justice shall cause such Lunatic to be brought before him, and if satisfied that such person is a Lunatic, shall cause him to be let out publicly to the lowest bidder, to be boarded and clothed for one year, and shall take bond and security to Oregon. That such bidder shall clothe and board such Lunatic for one year according to law.

Sec. 10. That the Treasurer is hereby authorized and required, to pay the sums appropriated to the Sheriff and Assessor first out of any balance now in the Treasury.

Sec. 11. That the appropriation of one Hundred and Twenty five Dollars for the Military department, made at the last Session of this house be and the same is hereby repealed.

Sec. 12. That all of the appropriation for Stationary made at the last Session of this house, except thirty Dollars, be and the same is hereby repealed.

Sec. 13. That so much of the appriation for the pay of the Circuit Judge as remains unexpended (One Hundred and fifty Dollars excepted) be and the same is hereby repealed.

Signed
W. W. McCarver
Speaker

Attest
J. E. Long
Clerk

An Act Authorizing L. H. Judson and W. H. Wilson to Construct a Mill race in Champoick County passed 24th Dec 1844

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That L. H. Judson and W. H. Wilson and their successors, be and they are hereby authorized and empowered to Construct a Mill race from the northern branch of the Santiyam river to the Eastern branch of the small stream which runs to, and drives the Mills at Chemiketa, formerly owned by the Methodist Episcopal Mission.

Sec. 2. That said W. H. Wilson and L. H. Judson and their successors shall have the exclusive use of all the benefits arising from the water privileges created at the head of said Mill race by the Construction of the same; and they shall also have the exclusive use and occupancy of land sufficient for Mills, Mill yard, dwelling and all other houses, inclosures and fixtures necessary thereto, not exceeding in all the quantity of Eight acres.

Sec. 3. That the privileges granted by this act shall continue for the full term of Twenty one years, to commence at the passage of this act.

Sec. 4. That said Mill race shall be commenced within one and finished within three years from the passage of this act, and in default thereof, all privileges by this act conferred shall be forfeited.

Signed
M. M. McCarver
Speaker

Attest
J. Elon Hall

An Act for the Erection of a Jail &c.
Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the Executive power shall appoint an Administrator to Close up and Collect the debts due to the Estate of Ewing Young deceased; and such Administrator shall proceed as soon as may be to wind up the business of said Estate.

Sec. 2. That the Executive power shall cause to be let out to the lowest bidder the building of a plain and substantial log Jail at Oregon City, to be finished in such time and manner as they may think proper; and shall take such bond and security, as may be sufficient to ensure the completion of the same.

Sec. 3. That the administrator shall pay all monies collected by him belonging to the estate of said Young deceased, into the Treasury of Oregon, whose duty it shall be to give to the said Administrator a receipt for the same.

Sec. 4. That the sum of fifteen Hundred Dollars be and the same is hereby appropriated for the building of said Jail, to be paid out of the first Monies received from the administrator of said estate; and in the event there be not so much received, then the balance to be paid out of any Money in the

treasury not otherwise appropriated.
Sec. 5. That the faith of this Government is hereby Pledged, for the repayment of all monies hereafter received from the Administrator of said young, whenever the same shall be lawfully Claimed, and such Claim established by the heirs or Creditors of said Young.
Sec. 6. That the Executive Power shall be authorized to receive a lot donated by John McLaughlin for the purpose of erecting said Jail; which lot shall be Conveyed to Oregon, agreeably to a Communication of said McLaughlin addressed to a Committee of this house appointed to wait upon him.
Sec. 7. That said Jail shall be used alike for the imprisonment of all Criminals in Oregon.

Signed
M. M. McCarver
Speaker

Attest
J. C. Long
Clerk

An Act to Amend and explain the Act upon Land Claims passed at the last June Session of this house

Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the word "Occupancy" in said act shall be so Construed as to require the Claimant to either personally & reside upon his Claim himself, or to occupy the same by the personal residence of his tenant.

Sec. 2. That any person shall be authorized to take 640 acres of his Claim in the Prairie, and 40 acres in the timber, and such parts of his claim need not be adjoining to each other.

Sec. 3. That when two persons take up their Claims jointly, not exceeding 1280 acres they may hold the same jointly for the term of one year, by making the improvements required by said act upon any part of said Claim; and may hold the same longer than one year, if they make said improvements within the year upon each 640 acres.

Signed
M M. McCarver
Speaker

Attest
J. E. Long
Clerk

An Act in regard to road viewers.

Passed 23d Dec 1844.

Be it enacted by the Legislative Com=
=mittee of Oregon as follows.

Sec. 1. That whenever any Person or Persons hereafter appointed as road viewers shall fail to discharge their duties according to Law without a reason=
=able excuse, they shall be subject to a fine of Ten Dollars each to be recovered by indictment before the Grand Jury.

Sec. 2. That road viewers shall be exempt from working on roads as many days as they may be necessa=
=rily employed in viewing any road or part of a road.

Sec. 3. That any road viewer, before he shall be exempt under the preced=
=ing section, shall make a true statement of the number of days he may have been necessarily employ?
in viewing any such road, before some Justice of the Peace, verified by oath or affirmation, and the said Justice of the Peace shall give to such road viewer or viewers a Cer=
=tificate, which shall serve him as a receipt against road working for that number of days.

Attest
J. C. Long
Clerk.

Signed
M M. McCarver
Speaker

An Act regulating the pay of Jurors.
Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

That Petit Jurors shall only receive the sum of twenty five Cents for each Case they try, to be taxed up against the loosing party as other Costs.

Attest
I. E. Long
Clerk.

Signed
M. M. McCarver
Speaker

An Act for the relief of James Common. Passed 23d Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the fine assessed by the Circuit Court of Klackamas County at its Oct Term 1844. against James Common, be and the same is hereby remitted; and that all the disabilities flowing from the Judgement of said Court, be and the same are hereby removed; and that the said James Common be restored to all the privileges of a Citizen of Oregon.

Attest
I. E. Long
Clerk

Signed.
M. M. McCarver
Speaker

An Act in relation to Indians.

Passed 23d Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the Indians shall be protected in the free use of all such pieces of vacant land, as they occupy with their vilages or other improvements, and such fisheries as they have heretofore used.

Sec. 2. That the Executive Power be required to see that the laws in regard to Indians be faithfully executed; and that whenever the laws shall be violated, the said Executive shall be empowered to bring suit in the name of Oregon against such wrong doers in the Courts of the Country.

Attest
J. E. Long
Clerk.

Signed
M. M. McCarver
Speaker

An Act for the relief of Joseph L. Meek. Passed 23d Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

That Joseph L. Meek be allowed the further time of five months to finish the collection of the revenue for the year 1844.

Attest
J. E. Long
Clerk.

Signed
M. M. McCarver
Speaker

An Act amendatory of an Act passed 27th June 1844. entitled "an Act Regulating the Executive Power, the Judiciary and for other purposes." Passed 18th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the Circuit Courts shall have concurrent Jurisdiction with Justices of the peace in all cases of forcible Entry and Detainer, and unlawfull detainer.

Sec. 2. That the present Executive Committee shall have power to fill all Vacancies that have or may hereafter occur, previous to the next annual Election.

Attest
I. E. Long
Clerk.

Signed
M. M. McCarver
Speaker

An Act to legalize the Acts of David Lennox Justice of the Peace.

Passed 18th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That all the official Acts of David Lennox, as Justice of the peace in and for the Palatine County, be and they are hereby declared legal, and that said Lennox is hereby appointed a Justice of the peace, in and for Palatine County until the next annual Election.

Attest
I. E. Long
Clerk.

Signed
M. M. McCarver
Speaker

An Act to Amend the several act Regulating Ferries. Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That so much of the Act passed at the last session of this house, fixing the rates of ferriage across the Willamette river from Oregon City to the Opposite bank, be so Amended as to read as follows.

That the said Hugh Burns and Robt Moore shall be authorized to charge the following rates

For a single Footman 12½
" Single person and Horse — 25
" Every head of Cattle and Horses — 10
" Every head of sheep or Hogs — 5
" Every 100 lbs of goods and other freight — 5

Sec. 2. That this act shall be in force from and after its passage until the first day of may 1845 and not after.

Signed
M. M. McCarver
Speaker

Attest
J. Ellony
Clerk.

An Act Authorizing the taking the Census of Oregon. Passed 24th Dec 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That it shall be the duty of the Sheriff of Oregon, to Commence immediately after the first Monday in March 1845. to take an enumeration of the inhabitants residing in Oregon - taking the number in each County seperate, and distinguishing the Males from the females, noting the heads of families - and shall designate in seperate Columns. those under twelve years of age and under eighteen - those of eighteen and under forty five - those of forty five and upwards; which enumeration shall be made, and a correct report thereof made, and returned under oath or affirmation to the Clerk on or before the first Monday in June A.D. 1845: which oath or affirmation the Clerk shall administer.

Sec. 2 - That the sheriff shall be allowed five Dollars pr Hundred persons as a full compensation for his services in taking such enumeration, and the Clerk shall make out and deliver to the sheriff a Certificate stating the amount

which may be due the sheriff for his services, in taking such enumeration.

Sec. 3. That if the sheriff shall fail to perform the duties prescribed by this act, he shall forfeit a sum not exceeding five Hundred dollars to be recovered by action of debt in the name of Oregon in any Court having Cognizance thereof.

Sec. 4. That said sheriff before entering upon the duties enjoined by this act, shall enter into bond with good security to Oregon under the penalty aforesaid, that he will faithfully discharge the duties required by this act.

Sec. 5. That the sheriff shall not be obliged to take the enumeration of the inhabitants residing north of the Columbia river, or East of the Cascade Mountains.

Signed

Attest

I. L. Long — M. M. McCarver

Speaker

Clerk.

An Act Amendatory of an act passed 26th June 1844. in regard to Slavery and for other purposes.
Passed 19th Dec 1844.

Be it enacted by the Legislature Committee of Oregon as follows.

Sec. 1. That the 6th and 7th Sections of said act be and the same are hereby repealed.

Sec. 2. That if any such free Negro or Mulatto shall fail to quit and leave the Country as required by the act to which this is amendatory, he or she may be arrested upon a warrant Issued by some Justice of the Peace; and if guilty upon trial before such Justice had; the said Justice shall issue his order to any Officer Competent to execute process, directing said Officer to give 10 days public notice, by at least 4 written or printed advertisements, giving notice that he will publicly hire out such free Negro or Mu=
=latto, to the lowest bidder, on a day and at a place therein specified.

On the day and at the place mentioned in said notice such Officer shall expose such free negro or Mulatto to public hireling, and the person who will obligate himself to remove such free negro or Mulatto from the Country for the shortest term of

service, shall enter into bond with good and sufficient security to Oregon in a penalty of at least one Thousand Dollars, binding himself to remove said negro or Mulatto out of the Country within six months after such term of service expire; which bond shall be filed in the Clerks Office of the Proper County; and upon failure to perform the Conditions of said bond, the attorney prosecuting for Oregon, shall commence a suit upon a Certified Copy of such bond in the Circuit Court against such delin= =quint and his securities.

Signed

Attest

I. E. Long
Clerk

M M McCarver
Speaker

An Act in regard to Infants
Passed 18th Decr 1844.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That in all Cases where suits shall hereafter be commenced by Infants under lawfull age by next friends, it shall not be necessary for such next friend to file a bond for Costs, nor shall such next friend be liable to Costs; but the Infant himself shall be liable as fully as if he were of lawfull age.

Sec. 2. That in all such Cases it shall be discretionary with the Court to dismiss such suit, when satisfied that the same has been Commenced inadvisedly or vexatiously; or the Court may require of such Infant to give security for Costs, as if of full age, and for like reasons.

Signed

Attest

M M. McCarver

Speaker

D. L. Long

Clerk.

An Act Appointing a Circuit Attorney
Passed 18th Dec 1846.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the Executive Power shall Appoint one Circuit attorney for Oregon to act until the next annual election, at which Election there shall be a Circuit attorney elected, who shall hold his office for two years and until his successor shall be duly elected and qualified, and who shall receive the yearly salary of 125 Dollars.

Sec-2- That the sum of fifty Dollars be and they are hereby allowed. C. A. Lawrence, Lovejoy Esqr for his services as Circuit attorney at the last fall term of the several Circuit Courts.

Attest
J. E. Long
Clerk

Signed
M. M. M. Carver
Speaker

An Act on Letters Testamentary and and of Administration. Passed 18th Dec 1846.

Be it enacted by the Legislative Committee of Oregon as follows.

Sec. 1. That the Clerk of Judge of the Circuit Court, shall have power to grant letters testamentary or of Administration in vacation, which letters shall, when granted by the Clerk, be subject to the approval or disapproval of the Circuit Court at its next term thereafter. Signed

Attest
J. E. Long Clerk

M. M. M. Carver
Speaker